

**City of Miami Beach - Special City Commission Meeting
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
September 28, 2004**

Mayor David Dermer
Vice-Mayor Richard L. Steinberg
Commissioner Matti Herrera Bower
Commissioner Simon Cruz
Commissioner Luis R. Garcia, Jr.
Commissioner Saul Gross
Commissioner Jose Smith

City Manager Jorge M. Gonzalez
City Attorney Murray H. Dubbin
City Clerk Robert E. Parcher

Visit us on the Internet at **www.miamibeachfl.gov** for agendas and video "streaming" of City Commission Meetings.

ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

REGULAR AGENDA

R7 - Resolutions

- R7A1 A Resolution Adopting: 1) The Final Ad Valorem Millage Of 7.425 Mills For General Operating Purposes, Which Is Seventeen And Six Tenths Percent (17.6%) Greater Than The "Rolled-Back" Rate Of 6.314 Mills; And 2) The Debt Service Millage Rate Of 0.748 Mills. **5:01 P.M. Second Reading, Public Hearing** (Page 34)
(Budget & Performance Improvement)
(First Reading on September 9, 2004)
- R7A2 A Resolution Adopting Final Operating Budgets For The General Fund, G.O. Debt Service, RDA Funds - Ad Valorem Taxes, Enterprise, And Internal Service Funds For Fiscal Year 2004/05. **5:01 P.M. Second Reading, Public Hearing** (Page 39)
(Budget & Performance Improvement)
(First Reading on September 9, 2004)

R7 - Resolutions (Continued)

- R7B1 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Final Ad Valorem Millage Rate Of 1.123 Mills For Fiscal Year 2004/05 For The Normandy Shores Local Government Neighborhood Improvement District, Which Is Thirteen And Five Tenths Percent (13.5%) Greater Than The "Rolled-Back" Rate Of 0.989 Mills.
5:02 P.M. Second Reading, Public Hearing (Page 50)
(Budget & Performance Improvement)
(First Reading on September 9, 2004)
- R7B2 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Final Operating Budget For Fiscal Year 2004/05.
5:02 P.M. Second Reading, Public Hearing (Page 55)
(Budget & Performance Improvement)
(First Reading on September 9, 2004)
- R7C A Resolution Establishing A Capital Renewal And Replacement Fund To Provide A Dedicated Source Of Funding For City Capital Renewal And Replacement Projects That Extend The Useful Life Of General Fund Assets; Establishing A Procedure For Annual Appropriation Of Funds; Establishing A Procedure For Their Use; And Adopting The Fiscal Year (FY) 2004/05 Budget For The Fund, In The Amount Of \$1,347,070. (Page 60)
(Budget & Performance Improvement)
- R7D A Resolution Adopting The City Of Miami Beach And Miami Beach Redevelopment Agency Capital Budget For Fiscal Year 2004-2005 And The Capital Improvement Plan For Fiscal Years 2005-2009.
Joint City Commission and Redevelopment Agency (Page 69)
(Finance Department)
- R7E A Resolution Adopting Fiscal Year 2004/05 Budgets For Special Revenue Funds For Resort Tax; Recreation Programs; 7th Street Garage Operations; Log Cabin Training Center Operations; And The State Major Cultural Institution Grant For The Bass Museum. (Page 98)
(Budget & Performance Improvement)
- R7F A Resolution Approving The Miami Beach Cultural Arts Council's Fiscal Year 2004/2005 Budget, In The Amount Of \$1,406,294. (Page 107)
(Tourism & Cultural Development)
- R7G A Resolution Approving And Accepting The City Manager's Recommendations, And Awarding \$599,015 In Cultural Arts Council (CAC) Grants For Fiscal Year 2004/2005, As Identified In The Attached Exhibit "A"; Further Authorizing The Mayor And City Clerk To Execute Said Grant Agreements; And Making The Award Of Said Grants Subject To And Contingent Upon The Approval Of The CAC's Budget For Fiscal Year 2004/2005. (Page 112)
(Tourism & Cultural Development)

R7 - Resolutions (Continued)

- R7H A Resolution Adopting And Approving The Miami Beach Visitor And Convention Authority (VCA) Fiscal Year 2004/2005 Budget In The Amount Of \$1,355,092. (Page 119)
(Tourism & Cultural Development)
- R7I A Resolution Appropriating An Additional \$100,000 In Miami-Dade County Transit Surtax Funds For The Fiscal Year (FY) 2003-04 Electrowave Shuttle (Currently Referred To As "The Local Shuttle") Operating Budget; Such Additional Funds Coming From The Estimated \$2.5 Million Miami Beach Share Of Miami-Dade Transit Surtax Funds Collections During FY 2003-04, Twenty Percent Of Which Is Required To Be Utilized For Local Transit Projects, Each And Every Year; And Further Reimbursing The Parking Fund \$100,000 Of The \$1.1 Million Appropriated For FY 2003-04 Shuttle Operating Purposes, By Resolution No. 2003-25354, Dated September 18, 2003. (Page 126)
(Public Works)
- R7J A Resolution Authorizing The Transfer Of \$1 Million From The Fiscal Year (FY) 2004-05 Parking Fund Budget To The Fiscal Year 2004-05 Local Shuttle (Previously Known As The Electrowave Shuttle) Operating Budget; Subject To The Determination By The City Administration That The Parking Fund Has Met All Debt Covenants For Fiscal Year 2003-04. (Page 131)
(Public Works)
- R7K A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Approving And Adopting The Fiscal Year (FY) 2004-05 Operating Budget For The Local Shuttle Service, Previously Known As Electrowave, In The Amount Of \$2,058,935; And Appropriating A Funding Packet Which Includes \$500,000 In People's Transportation Plan Funds; \$40,000 In Joint Participation Agreement Funds From The Florida Department Of Transportation; \$438,935 In Concurrency Mitigation/South Beach Funds; \$80,000 In Projected Fare Collection Revenues; And \$1,000,000 In FY 2004-05 Parking Fund Budget, Which Is Being Appropriated By A Separate Resolution. (Page 136)
(Public Works)
- R7L A Resolution Waiving, By 5/7ths Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City; And Authorizing The Mayor And City Clerk To Execute A General Management Agreement Between The City And The Miami Beach Transportation Management Association (MBTMA), In The Amount Of \$2,058,935 For The Performance Of General Management Services For Operations And Administration Of The Shuttle Project; Authorizing The Advancement Of One Fourth Of The Fiscal Year 2004-05 Operating Budget Funds To MBTMA, On A Quarterly Basis; Providing For The Filing Of Quarterly Financial And Administrative Reports, As Well As Annual Audits; And Further Providing For The Return Of All Unused Funds To The City, By Closing Of The Contract Year. (Page 143)
(Public Works)

R7 - Resolutions (Continued)

- R7M A Resolution Authorizing The Mayor And City Clerk To Execute A Professional Services Agreement With The Miami Beach Transportation Management Association (MBTMA), In The Amount Of \$50,000, To Provide Transportation Demand Management (TDM) Services To Miami Beach; And Authorizing A Lump-Sum Payment, As Seed Funding, Utilizing Funds Available In The Fiscal Year (FY) 2004-05 Parking Fund Budget. (Page 170)
(Public Works)

R9 - New Business and Commission Requests

- R9A The Committee Of The Whole Will Meet At 4:00 p.m. In The Mayors Conference Room For The Purpose Of Considering Measures To Help Improve The City Commission's Deliberations.
(Page 194)
(Requested by Commissioner Jose Smith)

End of Regular Agenda

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
<http://ci.miami-beach.fl.us>



OFFICE OF THE CITY CLERK

HOW A PERSON MAY APPEAR BEFORE THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA

THE REGULARLY SCHEDULED MEETINGS OF THE CITY COMMISSION ARE ESTABLISHED BY RESOLUTION. SCHEDULED MEETING DATES ARE AVAILABLE ON THE CITY'S WEBSITE, DISPLAYED ON CHANNEL 20, AND ARE AVAILABLE IN THE CITY CLERK'S OFFICE. COMMISSION MEETINGS COMMENCE AT 9:00 AM. GENERALLY THE CITY COMMISSION IS IN RECESS DURING THE MONTH OF AUGUST.

1. DR. STANLEY SUTNICK CITIZENS' FORUM will be held during the first Commission meeting each month. The Forum will be split into two (2) sessions, 1:30 p.m and 5:30 p.m. Approximately thirty (30) minutes will be allocated per session for each of the subjects to be considered, with individuals being limited to no more than three (3) minutes. No appointment or advance notification is needed in order to speak to the Commission during this forum.
2. Prior to every Commission meeting, an Agenda and backup material are published by the Administration. Copies of the Agenda may be obtained at the City Clerk's Office on the Monday prior to the Commission regular meeting. The complete Agenda, including all backup material, is available for inspection the Monday and Tuesday prior to the Commission meeting at the City Clerk's Office and at the following Miami Beach Branch Libraries: Main, North Shore, and South Shore. The information is also available on the City's website which is - <http://ci.miami-beach.fl.us>.
3. Any person requesting placement of an item on the Agenda must provide a written statement with his/her complete address and telephone number to the Office of the City Manager, 1700 Convention Center Drive, 4th Floor, Miami Beach, FL 33139, briefly outlining the subject matter of the proposed presentation. In order to determine whether or not the request can be handled administratively, an appointment may be scheduled to discuss the matter with a member of the City Manager's staff. "Requests for Agenda Consideration" will not be placed on the Agenda until after Administrative staff review. Such review will ensure that the issue is germane to the City's business and has been addressed in sufficient detail so that the City Commission may be fully apprised. Such written requests must be received in the City Manager's Office no later than noon on Tuesday of the week prior to the scheduled Commission meeting to allow time for processing and inclusion in the Agenda package. Presenters will be allowed sufficient time, within the discretion of the Mayor, to make their presentations and will be limited to those subjects included in their written requests.
4. Once an Agenda for a Commission Meeting is published, persons wishing to speak on items listed on the Agenda may call or come to City Hall, Office of the City Clerk, 1700 Convention Center Drive, telephone 673-7411, before 5:00 p.m. on the Tuesday prior to the Commission meeting and give their name, the Agenda item to be discussed, and if known, the Agenda item number.
5. All persons who have been listed by the City Clerk to speak on the Agenda item in which they are specifically interested, and persons granted permission by the Mayor, with the approval of the City Commission, will be allowed sufficient time, within the discretion of the Mayor, to present their views. When there are scheduled public hearings on an Agenda item, IT IS NOT necessary to register at the City Clerk's Office in advance of the meeting. All persons wishing to speak at a public hearing may do so and will be allowed sufficient time, within the discretion of the Mayor, to present their views.
6. If a person wishes to address the Commission on an emergency matter, which is not listed on the agenda, there will be a period of fifteen minutes total allocated at the commencement of the Commission Meeting at 9:00 a.m. when the Mayor calls for additions to, deletions from, or corrections to the Agenda. The decision as to whether or not the matter will be heard, and when it will be heard, is at the discretion of the Mayor and the City Commission. On the presentation of an emergency matter, the speaker's remarks must be concise and related to a specific item. Each speaker will be limited to three minutes.

CITY OF MIAMI BEACH

2004 CITY COMMISSION AND REDEVELOPMENT AGENCY MEETINGS

January 14 (Wednesday)

February 4 (Wednesday)

February 25 (Wednesday)

March 17 (Wednesday)

April 14 (Wednesday)

May 5 (Wednesday)

May 26 (Wednesday)

June 9 (Wednesday)

July 7 (Wednesday)

July 28 (Wednesday)

August City Commission in Recess – NO MEETINGS

September 8 (Wednesday)

October 13 (Wednesday)

November 10 (Wednesday)

December 8 (Wednesday)

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

A Resolution adopting: 1) the final ad valorem millage of 7.425 mills for general operating purposes which is seventeen and six tenths percent (17.6%) greater than the "Rolled-back" rate of 6.314 mills; and 2) the debt service millage rate of 0.748 mills for Fiscal Year 2004/05.

Issue:

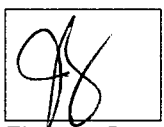
Shall the Mayor and City Commission approve the final millage and the debt service millage for Fiscal Year 2004/05 ?

Item Summary/Recommendation:

The Administration recommends adopting the resolution which sets the FY 2004/05 operating millage for general operating purposes and debt service millage.

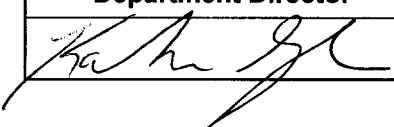
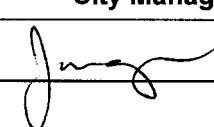
Advisory Board Recommendation:

Financial Information:

Source of Funds:		Amount	Account	Approved
 Finance Dept.	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

AGENDA ITEM R7A1
DATE 9-28-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
<http://ci.miami-beach.fl.us>



COMMISSION MEMORANDUM

TO: Mayor David Dermer and
Members of the City Commission

DATE: September 28, 2004

FROM: Jorge M. Gonzalez
City Manager

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING: 1) THE FINAL AD VALOREM MILLAGE OF 7.425 MILLS FOR GENERAL OPERATING PURPOSES, WHICH IS SEVENTEEN AND SIX TENTHS PERCENT (17.6%) GREATER THAN THE "ROLLED-BACK" RATE OF 6.314 MILLS; AND 2) THE DEBT SERVICE MILLAGE RATE OF 0.748 MILLS.

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission adopt the attached Resolution which sets the following:

1) Final adopted millage rates for Fiscal Year (FY) 2004/05

General Operating	7.299 mills	(7.299 last year)
Capital Replacement & Renewal	<u>0.126 mills</u>	(<u>0.000</u> last year)
Total Operating Millage	7.425 mills	(7.299 last year)
Debt Service	<u>0.748 mills</u>	(<u>0.874</u> last year)
Total	8.173 mills	(8.173 last year)

2) The final adopted combined millage rate of 8.173 mills is equal to the 8.173 combined millage rate for FY 2003/04. The tentatively adopted operating millage rate for FY 2004/05 is 7.425 mills. State statute requires that we advertise that this rate is 17.6 % greater than the "Rolled-back" rate of 6.314 mills.

The first public hearing on the tentative millage rates and budgets for FY 2004/05 was held on September 9, 2004. The millage rates presented herein are those which were tentatively adopted at the end of that first public hearing.

PROCEDURE

Florida Statutes 200.065 requires that at the conclusion of the second public hearing on the millage rate and budget, the City Commission proceed in the following specific manner:

Final Operating and Debt Service Millages

September 28, 2004

Page two

1. Adopt an ad valorem millage rate for FY 2004/05 operating purposes and debt service. The statute requires the name of the taxing authority, the "Rolled-back" rate, and the millage rates be publicly announced before the adoption of the millage levy resolution. Therefore, only the resolution title should be announced before the adoption of the millage resolution.
2. Adopt a general operating budget for FY 2004/05. Also included, are budgets for the G.O. Debt Service, RDA Funds-Ad Valorem Taxes, Enterprise and Internal Service Funds. This is accomplished by adopting a companion Resolution. (See accompanying Agenda Item R7A2).

CONCLUSION

The Administration recommends adoption of the attached Resolution which sets both final operating and debt service millage rates for FY 2004/05.

JMG:KGB:JC

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING: 1) THE FINAL AD VALOREM MILLAGE OF 7.425 MILLS FOR GENERAL OPERATING PURPOSES, WHICH IS SEVENTEEN AND SIX TENTHS PERCENT (17.6%) GREATER THAN THE "ROLLED-BACK" RATE OF 6.314 MILLS; AND 2) THE DEBT SERVICE MILLAGE RATE OF 0.748 MILLS.

WHEREAS, on September 9, 2004, the Mayor and City Commission tentatively adopted the operating millage rate of 7.425 mills and the debt service millage rate of 0.748 mills for Fiscal Year (FY) 2004/05; and

WHEREAS, the ad valorem millage rate of 7.425 mills for general operating purposes exceeds the "Rolled-back" rate of 6.314 mills by seventeen and six tenths percent (17.6%); and

WHEREAS, Section 200.065, Florida Statutes, requires that at the conclusion of the second public hearing on the proposed tax rate and budget for FY 2004/05, the City Commission adopt the ad valorem millage rates for operating purposes and debt service. This is accomplished by publicly announcing the name of the taxing authority, the "Rolled-back" rate, the percentage increase over the "Rolled-back" rate, and the millage rates before adoption of the millage levy resolution.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that pursuant to Section 200.065, Florida Statutes, there is hereby levied a tax for the FY 2004/05, on all taxable and non-exempt real and personal property located within the corporate limits of the City of Miami Beach, Florida, as follows: of the City of Miami Beach, Florida, as follows:

- (a) For the purpose of operating the government of the City, the rate assigned amounts to 7.425 mills. Also included are appropriate reserves and contingencies, which are not limited to reserves for tax discounts and abatements of uncollected taxes.

The millage rate of 7.425 mills exceeds the "Rolled-back" rate of 6.314 mills by seventeen and six tenths percent (17.6%).

- (b) For the purpose of providing payment on the principal and interest portions of the General Obligation Bond Debt outstanding, the rate assigned amounts to 0.748 mills.

PASSED and ADOPTED this 28th day of September, 2004.

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

My [Signature] 9-14-04
City Attorney Date

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

A Resolution adopting the final operating budgets for the General Fund, G.O. Debt Service, RDA Funds-Ad Valorem Taxes, Enterprise, and Internal Service Funds for Fiscal Year 2004/05.

Issue:

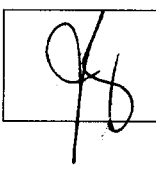
Shall the Mayor and City Commission approve the final operating budgets for the General Fund, G.O. Debt Service, RDA Funds-Ad Valorem Taxes, Enterprise, and Internal Service Funds for Fiscal Year 2004/05?

Item Summary/Recommendation:

The Administration recommends adopting the final operating budgets for the General Fund, G.O. Debt Service, RDA Funds-Ad Valorem Taxes, Enterprise, and Internal Service Funds for Fiscal Year 2004/05.

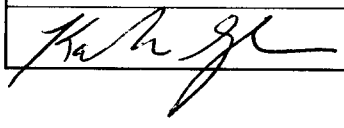
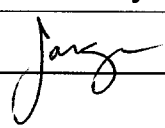
Advisory Board Recommendation:

Financial Information:

Source of Funds:		Amount	Account	Approved
	1	\$168,169,878	General Fund Operating	
	2	10,134,942	G.O. Debt Service	
	3	21,223,277	RDA Funds-Ad Valorem Taxes	
	4	98,825,803	Enterprise Funds	
	5	40,461,583	Internal Service Funds	
Finance Dept.	Total	\$338,815,483		

City Clerk's Office Legislative Tracking:

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

AGENDA ITEM R7A2
DATE 9-28-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
<http://ci.miami-beach.fl.us>



COMMISSION MEMORANDUM

TO: Mayor David Dermer and
Members of the City Commission

DATE: September 28, 2004

FROM: Jorge M. Gonzalez
City Manager

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING FINAL OPERATING BUDGETS FOR THE GENERAL, G.O. DEBT SERVICE, RDA AD VALOREM TAXES, ENTERPRISE, AND INTERNAL SERVICE FUNDS FOR FISCAL YEAR 2004/05.

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission adopt the attached Resolution which establishes final budgets for the General Fund, G.O. Debt Service, RDA Funds-Ad Valorem Taxes, Enterprise, and Internal Service Funds for Fiscal Year (FY) 2004/05.

PROCEDURE

As outlined in the companion Agenda Item R7A1, Section 200.065, Florida Statutes specifies the manner in which budgets are adopted. Following a second public hearing, the final millage rate for both general operating and debt service is adopted, then immediately thereafter, final budgets by fund are adopted. The attached Resolution is therefore presented to you at this time for adoption.

ANALYSIS

The Mayor and City Commission adopted the tentative millage rate for general and debt service, and the tentative operating budgets, by fund at the first public hearing on September 9, 2004. However, during the public hearing, there was considerable discussion regarding the Administration's proposal to fill two Fire Inspector positions with State-Certified Fire Inspectors rather than Firefighter I's at a savings of \$106,307. The Mayor and City Commission directed that this proposed reduction be reinstated and the positions be filled with Firefighter I's. In further discussion, the Mayor and City Commission directed the Administration to reinstate a part-time Office Associate V position for proclamations in the amount of \$30,573.

Based on recent increases in interest rates since the original calculations were made, the Administration recommends that the total adjustment for these two items amounting to \$136,880 be funded by an increase to projected interest earnings. Therefore, total General Fund operating budget is increasing by \$136,880 from the \$168,032,998 presented at the September 9th meeting to \$168,169,878.

Additionally, a representative from the Miami Beach Chamber of Commerce Visitor Center requested an additional \$15,000 for increased costs associated with maintaining a state of the art Visitor Center. The Commission directed the Administration to fund this request. The City Manager anticipates that as part of negotiations with the Greater Miami Convention and Visitors Bureau, additional funding of \$15,000 can be directed for the Visitor Center. If this issue cannot be negotiated, then the budget will be amended to appropriate the \$15,000 from the Resort Tax contingency.

BACKGROUND

On July 28, 2004, the Administration released a Proposed Budget balanced with 7.299 mills, 0.126 mills for Capital Replacement and Renewal, and 0.748 mills for debt service. Due to a reduction of 0.126 mills in the debt service millage, the overall millage will be maintained at the FY 2003/04 level of 8.173 mills.

Maintaining the basic service level into FY 2004/05 will translate into an operating General Fund Budget of \$163,867,534 which is \$11,505,098 or 7.6% greater than the FY 2003/04 adopted budget of \$152,362,436. In addition, the budget adds \$2,955,274 for enhanced service levels and \$1,347,070 dedicated for Capital Replacement and Renewal. Therefore, the total General Fund operating budget is \$168,169,878 which is \$15,807,442 or 10.4% greater than the FY 2003/04 adopted budget of \$152,362,436. The Proposed Budget recommends implementing over \$2.1 million of newly identified savings adjustments within the organization.

The Proposed Budget includes new or increased services in the net amount of \$2.9 million. In the Office of Communications, funding has been provided for a quarterly newsletter to be mailed to all residents along with the Recreation Review and providing information on City events, performances and other items of interest to the citizens.

In the Office of Budget & Performance Improvement (OBPI), funding is being provided for a Systems Analyst for performance improvement who will start by working with the Building Department to improve their productivity by maximizing the use of existing software applications. These will include the permitting system, handheld computers, interactive voice response system and the new queuing system for walk-through customers. Additional funding has been allocated to provide clerical support to the OBPI Director.

In the City Clerk's Office, we have included funding to provide Spanish translation/subtitles for the taped City Commission meetings. Additional funding will provide internet access to all City documents currently scanned in Laser Fiche, opening public access to all City resolutions, ordinances, and contracts. A part-time position has been reinstated at a cost of \$30,573, at the direction of the Mayor and City Commission.

The Economic Development Department will be adding a Field Monitor for beach and market concessions, special events, and film permits. Costs will be fully offset by additional revenues generated.

Funding has been allocated to the Planning Department for a consultant study and a Senior Planner to develop a Major Use Special Permit review process to supplement or replace the existing concurrency management system. There is the potential to generate additional revenues in the future. One additional Senior Planner will provide better neighborhood planning including implementation of the neighborhood conservation ordinance.

In the area of Tourism & Cultural Development, operating subsidies will be provided to the Colony and Byron Carlyle Theaters that will be partially offset by revenues. The Bass Museum will receive City Center RDA revenues to pay the annual air conditioning maintenance agreement.

The Neighborhood Services area will create three Code Enforcement Officer positions to provide expanded coverage and enhanced service levels throughout the City. Funding for one of these positions will come from Community Development Block Grants (CDBG). Funding is also provided for a contract for nuisance animal removal. Additional funding is being provided to better address the homeless situation throughout the City.

The Parks & Recreation Department will receive funding for professional services and other support costs for additional landscaping related to completed CIP projects such as Washington Avenue, Orchard Park Streetscapes, the Regional Library, and La Gorce/Pine Tree and Marseille Drive. Funding from the City Center RDA will provide professional services and other support costs for additional landscaping related to the completed Beach Walk from 21st through 14th Streets. This budget also provides funding for a 10-year extended warranty for new exterior sport lighting at North Shore Park and Tennis Center. Lastly, an Urban Forester position will be added to manage the City's urban forest, including inventory and replacement reserve requirements for all City-owned trees, plan review focusing on green space, and education of the general public concerning tree issues.

In the Capital Improvement Projects Department, funding will provide professional services to perform construction document reviews and one Financial Analyst I position for processing invoices, charge backs, requisitions, and providing more timely payments and allowing project managers to dedicate additional time to projects. A Paralegal has been

added to assist in responding to contractual and legal issues related to capital projects, provide for more timely completion of projects and allow project managers to dedicate additional time to projects. Additionally, two Field Inspectors will provide service to the three CIP districts as well as Parking projects.

The Police Department will be funding a consultant study to examine required staffing levels, scheduling, policies and guidelines. There will be a total of six additional police officers on the streets. This will be accomplished through a series of reassignments; one police officer for the Terrorism Task Force will be funded by the LETF, an additional Lieutenant and two police officers will be funded by the RDA, and two police officers will be transferred from the School Resource Unit of the Criminal Investigation Division and replaced by two civilians. Additional contract security personnel funding has been provided for the North Shore Park & Youth Center, Flamingo Park & Pool and for half a year at Normandy Park and Pool. The department will manage all contracted security personnel for the City.

The Fire Department has received funding to convert a Data Entry Clerk in the Fire Rescue Division from part time to full time to provide support for the medical director as well as the Assistant Fire Chiefs. The Ocean Rescue Division has received funding to convert two part time lifeguard positions to full time to fully staff the 41st Street lifeguard stand. Pursuant to direction received from the Mayor and Commission at the first public hearing, two fire inspector positions will continue to be filled with Firefighters rather than State-Certified Fire Inspectors.

In the Sanitation area, funding will provide enhanced litter crews to the Mid-Beach 41st Street and North Beach 71st Street commercial districts. Waterway clean-up efforts in North Beach will be continued. The RDA will provide funding for litter crews for completed CIP projects including the Beach Walk and the completed areas of Collins Park Cultural Center. Additional funding is provided for a part time auditor in OBPI who will enhance monitoring of franchise fees, roll-off fees, and right-of-way fees and generating an equal increase in revenues.

The Proposed Budget has an additional 0.126 millage dedicated for Capital Renewal and Replacement. This concept is in response to concerns expressed by our citizens throughout the development and implementation of our Capital Improvement Program and the Administration's desire to maintain the City in a "world-class" manner.

This additional millage will result in a restricted amount of approximately \$1.347 million to be used exclusively to provide for renewal and replacement of capital items related to our facilities and infrastructure over and above the \$27.4 million already included in the City's Proposed FY 2004/05 Budget for recurring maintenance. This additional millage would be reviewed and approved each year by the City Commission as part of the budget process, and would be used exclusively to address major capital renewal and replacement needs for General Fund departments for those capital expenditures that help to extend or replace the

useful life of our facilities and infrastructure. The specific list of projects, as included in the Proposed Budget, has been submitted to the City Commission for final approval. Funding for these needs has never been provided in the Budget.

CONCLUSION

The Administration recommends adoption of the attached Resolution which incorporates the revisions discussed above and establishes final budgets for General Fund, G.O. Debt Service, RDA Funds-Ad Valorem Taxes, Enterprise, and Internal Service Funds for FY 2004/05.

JMG:KGB:JC

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING FINAL OPERATING BUDGETS FOR THE GENERAL FUND, G.O. DEBT SERVICE, RDA FUNDS-AD VALOREM TAXES, ENTERPRISE, AND INTERNAL SERVICE FUNDS FOR FISCAL YEAR 2004/05.

WHEREAS, on September 9, 2004, the Mayor and City Commission tentatively adopted the operating and debt service budgets for FY 2004/05; and

WHEREAS, Section 200.065 of the Florida Statute specifies the manner in which budgets are adopted. Following a second public hearing, the final millage rate for both general operating and debt service is adopted, and immediately thereafter, final budgets by fund are adopted.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the City of Miami Beach hereby adopts final budgets for the General Fund, G.O. Debt Service, RDA Funds-Ad Valorem Taxes, Enterprise, and Internal Service Funds for Fiscal Year 2004/05 as summarized and listed below.

REVENUES	GENERAL	RDA	ENTERPRISE	INTERNAL SERVICE	TOTALS
GENERAL OPERATING REVENUES					
Ad Valorem Taxes	\$ 79,380,929				\$ 79,380,929
Ad Valorem Taxes-Normandy Shores	92,301				92,301
Other Taxes	19,568,600				19,568,600
Licenses and Permits	11,446,631				11,446,631
Intergovernmental	11,117,000				11,117,000
Charges for Services	6,141,136				6,141,136
Fines and Forfeits	1,404,000				1,404,000
Interest	2,836,880				2,836,880
Rents and Leases	2,679,145				2,679,145
Miscellaneous	6,409,227				6,409,227
Other-Resort Tax contribution	18,928,608				18,928,608
Other-Non Operating revenues	8,165,421				8,165,421
Subtotal	<u>\$ 168,169,878</u>				<u>\$ 168,169,878</u>
G.O. DEBT SERVICE					
Ad Valorem Taxes	<u>\$ 10,134,942</u>				<u>\$ 10,134,942</u>
Subtotal	<u>\$ 10,134,942</u>				<u>\$ 10,134,942</u>
FUND TOTAL	<u>\$ 178,304,820</u>				<u>\$ 178,304,820</u>
RDA FUNDS					
Ad Valorem Taxes-RDA So.Pointe		\$ 11,766,831			\$ 11,766,831
Ad Valorem Taxes-RDA City Center		9,456,446			9,456,446
FUND TOTAL		<u>\$ 21,223,277</u>			<u>\$ 21,223,277</u>

REVENUES continued					
	GENERAL	RDA	ENTERPRISE	INTERNAL SERVICE	TOTALS
DEPARTMENT/FUNCTION					
ENTERPRISE FUNDS					
Convention Center/TOPA			\$ 14,572,374		\$ 14,572,374
Parking			21,566,690		21,566,690
Sanitation			7,691,739		7,691,739
Sewer Operations			26,847,000		26,847,000
Stormwater Operations			8,050,000		8,050,000
Water Operations			20,098,000		20,098,000
FUND TOTAL			<u>\$ 98,825,803</u>		<u>\$ 98,825,803</u>
INTERNAL SERVICE FUNDS					
Central Services				\$ 753,316	\$ 753,316
Fleet Management				5,672,138	5,672,138
Information Technology				11,091,771	11,091,771
Property Management				7,321,436	7,321,436
Risk Management				15,622,922	15,622,922
FUND TOTAL				<u>\$ 40,461,583</u>	<u>\$ 40,461,583</u>
TOTAL - ALL FUNDS	<u>\$ 178,304,820</u>	<u>\$ 21,223,277</u>	<u>\$ 98,825,803</u>	<u>\$ 40,461,583</u>	<u>\$ 338,815,483</u>
APPROPRIATIONS					
	GENERAL	RDA	ENTERPRISE	INTERNAL SERVICE	TOTALS
DEPARTMENT/FUNCTION					
MAYOR & COMMISSION	\$ 1,260,879				\$ 1,260,879
ADMINISTRATIVE SUPPORT SERVICES					
CITY MANAGER	1,888,209				1,888,209
Communications	272,588				272,588
BUDGET & PERFORMANCE IMPROVE	1,549,053				1,549,053
FINANCE	3,460,126				3,460,126
Procurement	706,999				706,999
Information Technology				11,091,771	11,091,771
HUMAN RESOURCES	1,393,979				1,393,979
Risk Management				15,622,922	15,622,922
LABOR RELATIONS	193,332				193,332
CITY CLERK	1,527,654				1,527,654
Central Services				753,316	753,316
CITY ATTORNEY	3,198,595				3,198,595
ECONOMIC DEV. & CULTURAL ARTS					
Economic Development					
ECONOMIC DEVELOPMENT	854,064				854,064
BUILDING	5,482,359				5,482,359
PLANNING	2,615,594				2,615,594
Cultural Arts					
TOURISM & CULTURAL DEVELOP.	1,138,403				1,138,403
BASS MUSEUM	1,259,432				1,259,432
CONVENTION CENTER/TOPA			14,572,374		14,572,374
OPERATIONS					
NEIGHBORHOOD SERVICES	3,730,078				3,730,078
PARKS & RECREATION	21,515,815				21,515,815
PUBLIC WORKS	6,073,888				6,073,888
Property Management				7,321,436	7,321,436

APPROPRIATIONS-continued					
DEPARTMENT/FUNCTION	GENERAL	RDA	ENTERPRISE	INTERNAL SERVICE	TOTALS
Sanitation			7,691,739		7,691,739
Sewer Operations			26,847,000		26,847,000
Stormwater Operations			8,050,000		8,050,000
Water Operations			20,098,000		20,098,000
CAPITAL IMPROVEMENT PROGRAM	2,767,082				2,767,082
PARKING			21,566,690		21,566,690
FLEET MANAGEMENT				5,672,138	5,672,138
PUBLIC SAFETY					
POLICE	61,372,608				61,372,608
FIRE	36,350,494				36,350,494
CITYWIDE ACCOUNTS					
CITYWIDE ACCOUNTS-Normandy Sh.	136,663				136,663
CITYWIDE ACCOUNTS-Operating Cont.	1,000,000				1,000,000
CITYWIDE ACCOUNTS-Other	7,074,914				7,074,914
CAPITAL RENEWAL & REPLACEMENT	1,347,070				1,347,070
Subtotal	<u>\$ 168,169,878</u>	<u>\$ 0</u>	<u>\$ 98,825,803</u>	<u>\$ 40,461,583</u>	<u>\$ 307,457,264</u>
G.O.DEBT SERVICE					
Debt Service	10,134,942				10,134,942
Subtotal	<u>\$ 10,134,942</u>				<u>\$ 10,134,942</u>
RDA FUNDS					
RDA So. Pointe		\$ 11,766,831			\$ 11,766,831
RDA City Center		9,456,446			9,456,446
		<u>\$ 21,223,277</u>			<u>\$ 21,223,277</u>
TOTAL - ALL FUNDS	<u>\$ 178,304,820</u>	<u>\$ 21,223,277</u>	<u>\$ 98,825,803</u>	<u>\$ 40,461,583</u>	<u>\$ 338,815,483</u>

PASSED and ADOPTED this 28th day of September, 2004.

ATTEST:

CITY CLERK

MAYOR

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

 9-17-04
City Attorney Date

CITY OF MIAMI BEACH NOTICE OF PROPOSED TAX INCREASE

The City of Miami Beach has tentatively adopted
a measure to increase its property tax levy.

Last year's property tax levy:

A. Initially proposed tax levy.....	\$88,360,010
B. Less tax reductions due to Value Adjustment Board and other assessment changes.....	\$1,820,958
C. Actual property tax levy.....	\$86,539,052

This year's proposed tax levy.....\$104,348,717

All concerned citizens are invited to attend a public
hearing on the tax increase to be held on

Tuesday, September 28, 2004,
5:01 P.M.

at

1700 Convention Center Drive
City Hall Commission Chambers, 3rd Floor
Miami Beach, Florida 33139

A FINAL DECISION on the proposed tax increase
and the budget will be made at this hearing.

www.herald.com | THE HERALD | THURSDAY, SEPTEMBER 23, 2004 | 19

BUDGET SUMMARY CITY OF MIAMI BEACH - FISCAL YEAR 2004-05 THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE CITY OF MIAMI BEACH ARE 7.9% MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES.

	GENERAL FUND \$0	RDA FUNDS \$0	ENTERPRISE FUNDS \$4,318,000	INTERNAL SERVICE FUNDS \$4,983,300	TOTAL \$9,301,300
CASH BALANCE BROUGHT FORWARD					
ESTIMATED REVENUES:					
Taxes: Millage Per \$1,000					
Ad Valorem 7.425 (Operating)	\$79,380,929	\$21,223,277	\$0	\$0	\$100,604,206
Ad Valorem 1.123 (Norm. Shores)	92,301				92,301
Ad Valorem 0.748 (Voted Debt)	10,134,942				10,134,942
Franchise	7,110,000				7,110,000
Utility	12,458,600				12,458,600
Convention Development	1,440,000		3,060,000		4,500,000
Licenses and Permits	11,446,631				11,446,631
Intergovernmental Revenues	9,677,000				9,677,000
Charges for Services	6,141,136		89,423,281	34,868,085	130,432,502
Fines and Forfeitures	1,404,000				1,404,000
Interest	2,836,880		488,050	305,198	3,630,128
Rents and Leases	2,679,145				2,679,145
Miscellaneous Revenues	6,409,227		1,536,472	305,000	8,250,699
Other Financing Sources	27,094,029				27,094,029
TOTAL REVENUES AND OTHER FINANCING SOURCES	\$178,304,820	\$21,223,277	\$94,507,803	\$35,478,283	\$329,514,183
TOTAL ESTIMATED REVENUES AND BALANCES	\$178,304,820	\$21,223,277	\$98,825,803	\$40,461,583	\$338,815,483
EXPENDITURE/EXPENSES					
General Government	\$27,567,003	\$0	\$0	\$38,921,011	\$66,488,014
Public Safety	105,893,007				105,893,007
Physical Environment	4,441,587		51,798,163		56,239,750
Transportation	3,202,615		19,380,584		22,583,199
Economic Environment	854,064	21,223,277			22,077,341
Human Services	859,787				859,787
Culture & Recreation	23,515,152		14,572,374		38,087,526
Normandy Shores District	136,663				136,663
Debt Services	10,834,942		12,318,611	1,540,572	24,694,125
Other Financing Uses	0				0
TOTAL EXPENDITURES/EXPENSES	\$177,304,820	\$21,223,277	\$98,069,732	\$40,461,583	\$337,059,412
Reserves	1,000,000	0	756,071	0	1,756,071
TOTAL APPROPRIATED EXPENDITURES AND RESERVES	\$178,304,820	\$21,223,277	\$98,825,803	\$40,461,583	\$338,815,483

THE TENTATIVE, ADOPTED, AND/OR FINAL BUDGETS ARE ON FILE IN THE OFFICE OF THE ABOVE MENTIONED TAXING AUTHORITY AS A PUBLIC RECORD.

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Final Ad Valorem Millage Of 1.123 Mills For Fiscal Year 2004/05 For The Normandy Shores Local Government Neighborhood Improvement District, Which Exceeds The "Rolled-Back" Rate Of 0.989 Mills By Thirteen and Five Tenths Percent (13.5%).

Issue:

Shall the Mayor and City Commission, acting in its capacity as the Board of Directors for the Normandy Shores Local Government Neighborhood Improvement District, adopt the attached resolution which sets the final millage ?

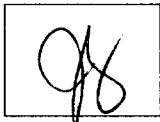
Item Summary/Recommendation:

The Mayor and City Commission, acting in its capacity as the Board of Directors of the District, should adopt the attached resolution which sets the final millage.

Advisory Board Recommendation:

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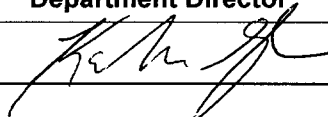

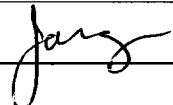
Financial Information:

Source of Funds:		Amount	Account	Approved
 Finance Dept.	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

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Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

AGENDA ITEM R7B1
DATE 9-28-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 28, 2004

From: Jorge M. Gonzalez
City Manager

Subject: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING THE FINAL AD VALOREM MILLAGE OF 1.123 MILLS FOR FISCAL YEAR 2004/05 FOR THE NORMANDY SHORES LOCAL GOVERNMENT DISTRICT, WHICH IS THIRTEEN AND FIVE TENTHS PERCENT (13.5%) GREATER THAN THE "ROLLED-BACK" RATE OF 0.989 MILLS.

ADMINISTRATION RECOMMENDATION

The Administration recommends that the Mayor and City Commission, acting in its capacity as the Board of Directors for the Normandy Shores Local Government Neighborhood Improvement District, adopt the attached resolution which sets the following:

- 1) Final adopted millage rate for the Normandy Shores Neighborhood Improvement District for FY 2004/05:

General Operating 1.123 mills (1.123 mills last year)

- 2) Final adopted millage rate of 1.123 mills is 13.5% greater than the "Rolled-back" Rate of 0.989 mills.

The first public hearing on the tentative Normandy Shores District millage rate and budget for FY2004/05 was held on September 9, 2004. The millage rates presented herein are those which were tentatively adopted at the end of the first public hearing held on that day.

BACKGROUND

The Normandy Shores Local Government Neighborhood Improvement District, a dependent taxing district of its principal, the City of Miami Beach, was established in 1994 to provide continual 24-hour security to this gated community; FY 2004/05 represents its eleventh year of operation.

It was established by Ordinance 93-2881, and has the authority "to levy an ad-valorem tax on real and personal property of up to two mills, provided that no parcel of property will be assessed more than \$500 annually for such improvements". However, on August 29, 2002, the Administration met with the Normandy Shores Local Government Neighborhood Improvement

District representatives and agreed to eliminate the \$500 cap on the highest valued home in the District. The enabling legislation was adopted by the Commission on September 25, 2002. This ensures that the City's contribution from the General Fund remains at 35% of the operating budget of the District.

During FY 1998/99, the amount of annual funding to be provided by the City and the dependent status of the District were issues discussed by the Finance and Citywide Projects Committee. A determination was reached that the City would fund 35% of the annual cost of the operation of the community guard gate. This cost will eventually be funded from the golf course operation of the Normandy Shores Golf Course. The City Attorney's Office is reviewing the issue regarding the dependent status of the District. It was further agreed that the City would continue to supplement the District at current levels until both issues were resolved.

A meeting was held on July 21, 2004 between the Normandy Shores Local Government Neighborhood Improvement Committee and the Administration to discuss additional needs of the neighborhood. The Committee unanimously approved an increase to the budget of \$9,863 to pay for additional security cameras and a small contingency. This additional amount will be paid by establishing the millage at the current rate of 1.123 which will generate revenues of \$92,301. At the July 28, 2004 Commission meeting, the Mayor and Commission adopted Resolution 2004-25633, which set the proposed operating millage rate for the District at 1.123 mills.

PROCEDURE

The operating millage and budget for this dependent special taxing district must be adopted in accordance with Florida Statutes. This procedure requires that this Resolution be considered immediately after the millage and budget of the principal taxing authority, i.e., City of Miami Beach.

It also prescribes that a final millage be adopted first. This is accomplished by adopting a Resolution which states the percent increase or decrease over the "Rolled-back" rate. Following this, another Resolution which adopts the Normandy Shores District operating budget must be approved. The statute requires the name of the taxing authority, the rolled-back rate, the percentage increase, and the millage rate be publicly announced before adoption of the millage resolution.

ANALYSIS

On September 9, 2004, the Mayor and City Commission adopted Resolution 2004-25686 which set the tentative ad valorem millage at 1.123. This millage includes 1.003 mills to provide the current level of security required by this district and will generate proceeds of \$82,438. The remaining 0.120 mills will pay for additional security cameras and a small contingency and generate proceeds of \$9,863 for a total millage revenue of \$92,301. The District's total budget will increase by \$9,863 to \$136,663. The operating budget to provide security services at the current service level to this district is \$126,800. This is comparable to the current year end projections. The difference between the revenues which will be generated from ad-valorem tax proceeds and the current service level budgetary requirement of the district must be supplemented by a contribution from the General Fund in the amount of

\$44,362 or 35% of the operating budget (\$126,800) for the current service levels. The General Fund has funded this difference for each of the ten years since the District was established. The amount provided by the General Fund for this purpose in FY 2003/04 was \$44,042.

CONCLUSION

The City Commission, acting in its capacity as the Board of Directors of the District, should adopt the attached Resolution which establishes the final millage.

JMG:KGB:JC

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING THE FINAL AD VALOREM MILLAGE RATE OF 1.123 MILLS FOR FISCAL YEAR 2004/05 FOR THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT, WHICH IS THIRTEEN AND FIVE TENTHS PERCENT (13.5%) GREATER THAN THE "ROLLED-BACK" RATE OF 0.989 MILLS.

WHEREAS, for the purpose of providing security services within the Normandy Shores neighborhood area, the Mayor and City Commission adopted Ordinance No. 93-2881 on October 20, 1993, which authorized the creation of the Normandy Shores Local Government Neighborhood Improvement District (District); and

WHEREAS, the Ad Valorem millage rate assigned for the District amounts to 1.123 mills on all taxable and non-exempt real and personal property located within the boundaries of the District for the purpose of providing security services, which millage rate exceeds the "Rolled-back" rate of 0.989 mills by thirteen and five tenths percent (13.5%); and

WHEREAS, on September 28, 2004, pursuant to Section 200.065 of the Florida Statutes, a public hearing was held before the Mayor and City Commission, acting as the Board, to discuss the operating millage rate and budget for the District for Fiscal Year (FY) 2004/05.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT that, pursuant to Section 200.065, Florida Statutes, there is hereby levied an Ad Valorem millage rate of 1.123 mills for FY 2004/05 on all taxable and non-exempt real and personal property located within the boundaries of the District for the purpose of providing security services, which millage rate exceeds the "Rolled-back" rate of 0.989 mills by thirteen and five tenths percent (13.5%).

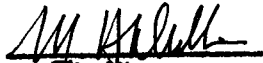
PASSED and ADOPTED this 28th day of September, 2004.

CHAIRPERSON OF THE DISTRICT

ATTEST:

SECRETARY TO THE DISTRICT

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

 9-14-04
City Attorney Date

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A resolution adopting the final operating budget for the Normandy Shores Local Government Neighborhood Improvement District for fiscal year 2004/05.

Issue:

Shall the Mayor and City Commission, acting in its capacity as the Board of Directors for the Normandy Shores Local Government Neighborhood Improvement District, adopt the final operating budget for the District for fiscal year 2004/05 in the amount of \$136,663?


Item Summary/Recommendation:

The Administration recommends adopting the final operating budget for the Normandy Shores Local Government Neighborhood Improvement District for Fiscal Year 2004/05.

Advisory Board Recommendation:

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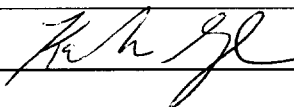
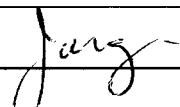
Financial Information:

Source of Funds:				
		Amount	Account	Approved
	1	\$92,301	Normandy Shores District	
	2	44,362	General Fund	
	3			
	4			
 Finance Dept.	Total	\$136,663		

City Clerk's Office Legislative Tracking:

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Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

AGENDA ITEM

R7B2

DATE

9-28-04



COMMISSION MEMORANDUM

TO: Mayor David Dermer and
Members of the City Commission

DATE: September 28, 2004

FROM: Jorge M. Gonzalez
City Manager

SUBJECT: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING THE FINAL OPERATING BUDGET FOR FISCAL YEAR 2004/05.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution which establishes the final operating budget for the District for Fiscal Year (FY) 2004/05.

BACKGROUND

The Normandy Shores Local Government Neighborhood Improvement District, a dependent taxing district of its principal, the City of Miami Beach, was established in 1994 to provide continual 24-hour security to this gated community; FY 2004/05 represents its eleventh year of operation.

It was established by Ordinance 93-2881, and has the authority "to levy an ad-valorem tax on real and personal property of up to two mills, provided that no parcel of property will be assessed more than \$500 annually for such improvements". However, on August 29, 2002, the Administration met with the Normandy Shores Local Government Neighborhood Improvement District representatives and agreed to eliminate the \$500 cap on the highest valued home in the District. The enabling legislation was adopted by the Commission on September 25, 2002. This ensures that the City's contribution from the General Fund remains at 35% of the operating budget of the District.

During FY 1998/99, the amount of annual funding to be provided by the City and the dependent status of the District were issues discussed by the Finance and Citywide Projects Committee. A determination was reached that the City would fund 35% of the annual cost of the operation of the community guard gate. This cost will eventually be funded from the golf course operation of the Normandy Shores Golf Course. The City Attorney's Office is reviewing the issue regarding the dependent status of the District. It was further agreed that the City would continue to supplement the District at current levels until both issues were resolved.

A meeting was held on July 21, 2004 between the Normandy Shores Local Government Neighborhood Improvement Committee and the Administration to discuss additional needs of the neighborhood. The Committee unanimously approved an increase to the budget of \$9,863 to pay for additional security cameras and a small contingency. This additional amount will be paid by establishing the millage at the current rate of 1.123 which will generate revenues of \$92,301. At the July 28, 2004 Commission meeting, the Mayor and Commission adopted Resolution 2004-25633, which set the proposed operating millage rate for the District at 1.123 mills.

PROCEDURE

The operating millage and budget for this dependent special taxing district must be adopted in accordance with Florida Statutes. This procedure requires that this Resolution be considered immediately after the final millage for Normandy Shores District has been adopted (See accompanying Agenda Item R7B1 for details).

ANALYSIS

On September 9, 2004, the Mayor and City Commission tentatively adopted the operating budget for the District in the amount of \$136,663 and an operating millage of 1.123 mills. This millage includes 1.003 mills to provide the current service level of security required by this district in the amount of \$126,800. This is comparable to the current year end projections. The remaining 0.120 mills will pay for additional security cameras and a small contingency at a cost of \$9,863. Revenues of \$92,301 which will be generated from ad-valorem tax proceeds will be supplemented by a contribution from the General Fund in the amount of \$44,362 or 35% of the operating budget (\$126,800) for the current service levels. The General Fund has funded this difference for each of the ten years since the District was established. The amount provided by the General Fund for this purpose in FY 2003/04 was \$44,042.

The final operating budget for the District is as follows:

Revenues	<u>FY 04/05</u>	<u>FY 03/04</u>
Ad Valorem Tax	\$ 92,301	\$ 81,758
City's General Fund	44,362	44,042
Total	<u>\$136,663</u>	<u>\$125,800</u>
 Expenses		
Security Service	\$107,200	\$107,200
Add'l cameras & contingency	9,863	0
Maintenance	19,600	18,600
Total	<u>\$136,663</u>	<u>\$125,800</u>

CONCLUSION

The City Commission, acting in its capacity as the Board of Directors of the Normandy Shores Local Government Neighborhood Improvement District, should adopt the attached Resolution which establishes the final operating budget.

JMG:KGB:JC

RESOLUTION NO. _____

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES
LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING
THE FINAL OPERATING BUDGET FOR FISCAL YEAR 2004/05.**

WHEREAS, for the purpose of providing security services within the Normandy Shores neighborhood area, the Mayor and City Commission adopted Ordinance No. 93-2881 on October 20, 1993, which authorized the creation of the Normandy Shores Local Government Neighborhood Improvement District (District); and

WHEREAS, for the purpose of providing security services within the District, a final budget has been developed to fund projected Fiscal Year (FY) 2004/05 operating expenses; and

WHEREAS, the final operating budget has been reviewed by the Board of Directors of the District (Board) to assure its content and scope; and

WHEREAS, on September 28, 2004, pursuant to Section 200.065 of the Florida Statutes, a public hearing was held before the Mayor and City Commission, acting as the Board, to discuss the operating millage rate and operating budget for the District for FY 2004/05.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE BOARD OF DIRECTORS OF THE
NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT**, that the Board hereby adopts the final operating budget for the District for FY 2004/05 as summarized herein and listed below:

Revenues	
Ad Valorem Tax	\$ 92,301
City's General Fund	<u>44,362</u>
Total	<u>\$136,663</u>
Expenses	
Security Service	\$107,200
Add'l cameras & contingency	9,863
Maintenance	<u>19,600</u>
Total	<u>\$136,663</u>


PASSED and ADOPTED this 28th day of September, 2004.

CHAIRPERSON OF THE DISTRICT

ATTEST:

SECRETARY TO THE DISTRICT

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

 9-14-04
City Attorney Date

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

Resolution establishing a Capital Renewal And Replacement Fund to provide a dedicated source of funding for capital renewal and replacement projects that extend the useful life of General Fund assets; establishing a procedure for annual appropriation of funds; establishing a procedure for their use; and adopting the Fiscal Year (FY) 2004/05 budget for the Fund, in the amount of \$1,347,070.

Issue:

Shall the Mayor and City Commission adopt the attached resolution which establishes a dedicated source of funding, budget and a procedure for the use of a Capital Renewal And Replacement Fund?

Item Summary/Recommendation:

Adopt the Resolution.

Advisory Board Recommendation:

Financial Information:

Amount to be expended:

Source of
Funds:

Finance Dept.

	Amount	Account	Approved
1	\$1,347,070	General Fund millage 0.126	
2			
3			
4			
Total			

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM R7C

DATE 9-28-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
<http://ci.miami-beach.fl.us>



COMMISSION MEMORANDUM

TO: Mayor David Dermer and
Members of the City Commission

DATE: September 28, 2004

FROM: Jorge M. Gonzalez *JMG For*
City Manager

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING A CAPITAL RENEWAL AND REPLACEMENT FUND TO PROVIDE A DEDICATED SOURCE OF FUNDING FOR CITY CAPITAL RENEWAL AND REPLACEMENT PROJECTS THAT EXTEND THE USEFUL LIFE OF GENERAL FUND ASSETS; ESTABLISHING A PROCEDURE FOR ANNUAL APPROPRIATION OF FUNDS; ESTABLISHING A PROCEDURE FOR THEIR USE; AND ADOPTING THE FISCAL YEAR (FY) 2004/05 BUDGET FOR THE FUND, IN THE AMOUNT OF \$1,347,070.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

The City has and continues to make significant investment in the routine maintenance of its assets and has earmarked approximately \$27.4 million in FY 2004/05 for this effort. However, this funding typically does not provide for major capital renewals and replacements. Capital renewal and replacement projects are therefore often deferred beyond the useful life of the capital component requiring replacement or renewal in some cases until the point where bond financing is required for major improvements. On September 9, 2004, the Mayor and City Commission tentatively adopted the proposed millage rate of 7.425 mills and the tentative budget for the General Fund in the amount of \$168,169,878. The General Fund millage of 7.425 mills includes 0.126 mills (\$1,347,070) dedicated for capital renewal and replacement.

The Administration is proposing the following restrictions and guidelines to ensure the funds are appropriated exclusively for capital renewal and replacement to supplement existing General Fund maintenance expenditures:

- Establishment of a permanent Capital Renewal and Replacement Fund to be used for capital projects that extend the useful life of the City's General Fund assets. The Capital Renewal and Replacement Fund shall be funded annually, commencing in Fiscal Year 2004/05, through a transfer from the General Fund. The initial transfer, for Fiscal Year 2004/05, from the General Fund to the Capital Renewal and Replacement Fund shall be the amount of \$1,347,070.

- In subsequent years, the Fund will be increased by, at a minimum, the amount which would represent the value of the debt service millage reduction resulting from growth in the assessment value of the tax base. It is expected that this increase should not result in a total combined millage rate greater than in the preceding fiscal year.
- Appropriation of project specific expenditures from the Capital Renewal and Replacement Fund shall be included in the City Manager's annual proposed budget, to be approved by the Mayor and City Commission annually during the City's second public hearing on the budget.
- Interest earnings that accrue in the Capital Renewal and Replacement Fund shall be included in the appropriation for the Fund in the following fiscal year.
- Changes among project specific appropriations may be authorized by the City Manager to the extent that no new projects be added and the total annual allocation is not exceeded.
- Changes to project specific appropriations may be authorized by the City Manager to the extent needed to replace \$4.25 million in potential funding from the proposed Miami-Dade County General Obligation Bond issue for Old City Hall; Sixth Street Community Center; Flagler Monument; and Scott Rakow Youth Center improvements.
- During a fiscal year, changes to the total allocation and changes to the list of projects to be funded from the Capital Renewal and Replacement Fund shall require prior approval and authorization by a majority of the City Commission. Excess project specific appropriations not required will be available for re-appropriation the following year.
- Project specific appropriations that are not expended in a given fiscal year shall remain in the Capital Renewal and Replacement Fund for the life of the project.

BACKGROUND

Miami Beach has continued to expand its facilities and infrastructure in response to the desire of so many who wish to live, work, and play in our vibrant, tropical, and historic community. The City currently maintains a vast number and variety of buildings, structures and facilities, hundreds of acres of recreational and open space, and hundreds of miles of streets, sidewalks and alleys. However, existing funding levels do not provide for major capital renewal and replacement projects and these projects often are deferred many years beyond their useful life. Further, as a result of the current \$400 million capital improvement program, there will be a significant increase in additional maintenance needs. Over the next couple of years, we will be bringing on line approximately 15 additional miles of sidewalks and 22 miles of curbing; 1,924 additional streetlights and 1,043 additional up-lights (a 30% increase combined); new parks still to be designed (Flamingo, South Pointe, Collins, Altos Del Mar, the Garden Center, Fairway, Muss and Washington parks) – all of which will be competing with general fund services as well as with rising costs due to such factors as union contracts, personnel costs and the cost for contractual services.

To ensure that these projects are funded and addressed when needed, it is essential to establish a separate capital renewal and replacement fund with a dedicated source of funding. The FY 2004/05 proposed budget recommends the establishment of this reserve with first year funding in the amount of \$1.347 million to be used exclusively to provide for renewal and replacement of capital items related to our general fund facilities and infrastructure over and above the \$27.4 million for maintenance already included in the City's Proposed FY 2004/05 Budget. The intent of the fund would be to supplement the existing maintenance funding to address major capital renewal and replacement needs for general fund departments.

The proposed funding of this restricted account shall be accomplished by adding the amount of the FY 2004/05 Debt Service Millage reduction ($0.874 - 0.748 = 0.126$ mills) to the FY 2004/05 General Operating Millage ($7.299 + 0.126 = 7.425$). Therefore, the overall City millage will not increase but will remain at 8.173 as it was in FY 2003/04. City property owners will pay the same total tax millage for FY2004/05 as they did in FY 2003/04.

	" Dedicated Millage For Capital Renewal and Replacement"		
	Tax Levy		
	FY 2003/04	FY 2004/05	Inc/(Dec)
General Operating	7.299	7.425	0.126
Debt Service	<u>0.874</u>	<u>0.748</u>	<u>(0.126)</u>
TOTAL	<u>8.173</u>	<u>8.173</u>	<u>(0.000)</u>

As assessed values in the City continue to rise over the upcoming years, the cost of debt service on outstanding general obligation bonds will be spread over a larger value resulting in a decrease in debt service millage each year. If the City were to continue this process, thereby, adding the decrease in debt service millage each year to the general operating millage until the amount of the millage associated with maintenance reached 0.5 mills, it would generate (based on today's value of a mill) approximately \$6.75 million for additional infrastructure maintenance each year. Once this level is reached, the total millage will continue to decrease providing room for future GO bond issuances should the Commission and the community wish to pursue future issues.

The millage usage would be reviewed and approved each year by the City Commission as part of the budget process.

JMG

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING A CAPITAL RENEWAL AND REPLACEMENT FUND TO PROVIDE A DEDICATED SOURCE OF FUNDING FOR CITY CAPITAL RENEWAL AND REPLACEMENT PROJECTS THAT EXTEND THE USEFUL LIFE OF GENERAL FUND ASSETS; ESTABLISHING A PROCEDURE FOR ANNUAL APPROPRIATION OF FUNDS; ESTABLISHING A PROCEDURE FOR THEIR USE; AND ADOPTING THE FISCAL YEAR (FY) 2004/05 BUDGET FOR THE FUND, IN THE AMOUNT OF \$1,347,070.

WHEREAS, the City has a significant infrastructure investment that includes 322 buildings, structures and facilities; 472 acres of recreational open space; over 25 miles of inland canals, oceanfront beaches, City-owned seawalls; and 140 miles of paved streets; with associated swales landscaped medians, street and landscape lights, and curbs and gutters; and

WHEREAS, despite \$27.4 million budgeted in the Fiscal Year (FY) 2004/05 General Fund Operating Budget for general ongoing maintenance, as well as \$4.25 million in potential funding from the proposed Miami-Dade County General Obligation Bond issue for Old City Hall; the Sixth Street Community Center; Flagler Monument; and Scott Rakow Youth Center improvements (carpets, ADA, pressure cleaning, ceiling tile, electrical, A/C), there remains \$1,816,000 in immediate renewal and replacement needs without funding; and

WHEREAS, the City is procuring a consultant to develop a proactive schedule of renewal and replacement needs for the City's existing infrastructure that will require additional funding in future years; and

WHEREAS, as a result of the City's ongoing \$400 million Capital Improvement Program, there will be a significant additional increase in renewal and replacement needs; and

WHEREAS, annual capital renewal and replacement needs compete for General Fund resources with other needs, such as public safety, with the result that capital renewal and replacement needs may be deferred; and

WHEREAS, bond rating agencies, (Fitch, Moody's, and Standard & Poor's) view renewal and replacement policies as a significant criteria in assessing a government's credit worthiness; and

WHEREAS, the Mayor and City Commission recognize the need to establish a dedicated source of funding to ensure annual renewal and replacement of the City's General Fund capital assets on an ongoing basis; and

WHEREAS, on September 9 2004, the Mayor and City Commission tentatively adopted the proposed millage rate of 7.425 mills, which included 0.126 mills dedicated for capital renewal and replacement.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, as follows:

1. A permanent Capital Renewal and Replacement Fund is hereby established to be used for capital projects that extend the useful life of the City's General Fund assets.
2. The Capital Renewal and Replacement Fund shall be funded annually, commencing in Fiscal Year 2004/05, through a transfer from the General Fund.
3. The initial annual transfer from the General Fund to the Capital Renewal and Replacement Fund, for Fiscal Year 2004/05, shall be the amount of \$1,347,070.
4. In subsequent fiscal years, the Fund will be increased by, at a minimum, the amount which would represent the value of the debt service millage reduction resulting from growth in the assessment value of the tax base. It is expected that this increase should not result in a total combined millage rate greater than in the preceding fiscal year.
5. Appropriation of project specific expenditures from the Capital Renewal and Replacement Fund shall be included in the City Manager's annual proposed budget, and shall be adopted by the Mayor and City Commission annually during the City's second public hearing on the budget.
6. Interest earnings that accrue in the Capital Renewal and Replacement Fund shall be included in the appropriation for the Fund in the following fiscal year.
7. Changes among project specific appropriations may be authorized by the City Manager to the extent that no new projects be added and the total annual allocation is not exceeded.
8. Changes to project specific appropriations may be authorized by the City Manager to the extent needed to replace \$4.25 million in potential funding from the proposed Miami-Dade County General Obligation Bond issue for Old City Hall; Sixth Street Community Center; Flagler Monument; and Scott Rakow Youth Center improvements.
9. During a fiscal year, changes to the total allocation and changes to the list of projects to be funded from the Capital Renewal and Replacement Fund shall require prior approval and authorization by a majority of the City Commission. Excess project specific appropriations not required will be available for re-appropriation the following year.

10. Project specific appropriations that are not expended in a given fiscal year shall remain in the Capital Renewal and Replacement Fund for the life of the project.
11. The City of Miami Beach hereby adopts the FY 2004/05 Capital Renewal and Replacement Fund Budget, in the amount of \$1,347,070, as provided in Attachment A.

PASSED AND ADOPTED THIS 28th DAY OF September 2004.

MAYOR

Attest:

CITY CLERK

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

M. G. Sullivan 9-22-04
City Attorney Date

ATTACHMENT A

REVENUES	
Transfer from General Fund	\$1,347,070
APPROPRIATIONS	
Old City Hall	\$2,000,000 County GOB \$500,000 City funding
6th Street Community Center	\$500,000 County GOB
Flagler Monument	\$750,000 County GOB
Scott Rakow - Carpets, ADA, Pressure Cleaning, Ceiling Tile, Electrical, A/C	\$1,000,000 County GOB
Replace Floors at Fire Stations 1 and 3	\$80,000
Police Station Emergency Chiller Replacement	\$120,000
Police Gun Range Air Handling Unit	\$30,000
Replacing two A/C Units at Fire Station 1	\$40,000
Partial Ceiling Tile Replacements - Police Station, City Hall, Historic City Hall	\$36,000
Public Works Operations Yard A/C Replacement	\$80,000
Replacing Deteriorating Benches on the Boardwalk	\$15,000
Public Works Fire Alarm System Replacement	\$10,500
Police Station Pressure Cleaning, Water Sealing, Patching of Cracks and Paint	\$63,000
City Hall Pressure Clean, Water Sealing, Patching of Cracks and Paint	\$63,000
Replace Main Breakers at City Hall and Police Station	\$24,500
Storm Shutters at 777 17th Street Building	\$49,500
Fire Station 1 Domestic Water Line Replacement	\$45,000
Carpet and Floor Tile Replacement at Historic City Hall	\$18,700
Replace Three Air Handlers at the Police Station	\$99,000
Contingency for Unforeseen Needs	\$72,870
TOTAL	\$1,347,070

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution adopting the City of Miami Beach and Miami Beach Redevelopment Agency Capital Budget for Fiscal Year 2004-2005 and the Capital Improvement Plan for Fiscal Years 2005-2009.

Issue:

Shall the City Commission adopt the City of Miami Beach and Miami Beach Redevelopment Agency Capital Budget for Fiscal Year 2004-2005 and the Capital Improvement Plan for Fiscal Years 2005-2009?

Item Summary/Recommendation:

The Proposed Capital Budget for FY 2004-2005 totals \$85,046,436 and includes 70 projects and capital equipment acquisitions recommended for appropriation in conjunction with the FY 2004-2005 Operating Budget. It itemizes project funds to be committed during the upcoming fiscal year detailing expenses for project components which include: architect and engineer (A/E), construction, equipment, art in public places, and other related project costs. Capital reserves, debt service payments, and other capital purchases found in the Operating Budget are not included in this budget.

Advisory Board Recommendation:

On September 15, 2004 the FY 2004-2005 Proposed Capital Budget and updated Capital Improvement Plan was discussed at a joint meeting of the Finance and Citywide Projects Committee and the General Obligation Bond Oversight Committee. A presentation was made outlining the neighborhood enhancements, park renovation and upgrades, construction of new facilities, and upgrades to utility systems that were planned for FY 2004-2005. Copies of the draft Proposed Capital Budget for FY 2004-2005 and the updated Capital Improvement Plan were distributed to each member in advance. The Capital Improvement Project Office Director, Chief Financial Officer, department directors, and other City staff were available to discuss specific projects and respond to the Committee's questions.

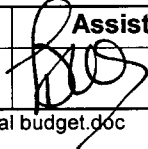
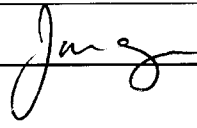
Financial Information:

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; width: 80px; height: 50px; margin: 0 auto;"></div> Finance Dept.	1	\$85,046,436	Various Funding Sources, See Exhibit A.	
	2			
	3			
	4			
	Total	\$85,046,436		

City Clerk's Office Legislative Tracking:

Patricia D. Walker

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

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AGENDA ITEM

R7D

DATE

9-28-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM NO.

TO: Mayor David Dermer
Members of the City Commission

Date: September 28, 2004

FROM: Jorge M. Gonzalez
City Manager

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE CITY OF MIAMI BEACH AND MIAMI BEACH REDEVELOPMENT AGENCY CAPITAL BUDGET FOR FISCAL YEAR 2004-2005 AND THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2005-2009.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

BACKGROUND

Planning for capital improvements is an ongoing process; as needs change within the City, capital programs and priorities must be adjusted. The Capital Improvement Plan ("CIP") serves as the primary planning tool for systematically identifying, prioritizing and assigning funds to critical City capital development, improvements and associated needs.

Each year, City departments submit their projected capital needs for the next five year period. All projects submitted for inclusion in the City's CIP are reviewed on the basis of relative need, cost and availability of funding. The Finance Department and the Capital Improvement Office provide assistance in preparing and reviewing the CIP for budgetary planning purposes. The proposed documents are presented to the Finance and Citywide Projects Committee and General Obligation Bond Oversight Committee for review, and to the City Commission/RDA for approval and adoption.

The CIP was created as a plan for projects that require significant capital investment and is intended to serve as an official statement of public policy regarding long-range physical development in the City of Miami Beach. The CIP specifies and describes the City's capital project plan and establishes priorities for the upcoming five year period.

Following the adoption of the CIP by the Mayor and City Commission in July of 1999, individual projects within neighborhood areas were combined to create "packages" of projects that address the neighborhood needs for infrastructure upgrades, traffic flow, enhancements, etc. This comprehensive approach minimizes disruptions and generates costs savings. The projects address many needs in different areas of the City including: neighborhood enhancements such as landscaping, sidewalk restoration, traffic calming,

parking, drainage improvements and roadway resurfacing/reconstruction; park renovation and upgrades; and construction or renovation of public facilities.

The City's first Capital Budget was adopted concurrently with the Fiscal Year (FY) 2001-2002 operating budget. It included the portion of the five year plan that would be committed during that fiscal year. The Administration is presenting the proposed FY 2004-2005 Capital Budget and the updated CIP for FY 2005-2009, following a comprehensive review of the CIP to insure that the Plan accurately reflects all project budgets, funding sources and commitments, for adoption by the City Commission.

ANALYSIS

Capital Improvement Plan

The 2005-2009 CIP for the City of Miami Beach is a five year plan for public improvements and capital expenditures by the City. This document is an official statement of public policy regarding long-range physical development in the City of Miami Beach. The approved Capital Improvement Plan has been updated to include projects that will be active during the fiscal years 2005 through 2009.

The Plan has been updated to include additional funding sources that have become available, changes in project timing, and other adjustments to ongoing projects as they have become better defined. Certain adjustments have been made to reclassify previously appropriated funds from a cash flow basis to a commitment basis for budgeting purposes; other project appropriations have been adjusted to reflect projects that have been reconfigured, re-titled, combined with or separated from other projects and/or project groupings. Adjustments for appropriations that were made at the funding source level rather than at a project level have also been included. These adjustments have no fiscal or cash impact and are as a result of a comprehensive review of the program to insure that our plan accurately reflects all project budgets, funding sources and commitments.

Capital Budget


The Proposed Capital Budget for FY 2004-2005 totals \$85,046,436 and includes 70 projects and capital equipment acquisitions recommended for appropriation in conjunction with the FY 2004-2005 Operating Budget. It itemizes project funds to be committed during the upcoming fiscal year detailing expenses for project components which include: architect and engineer (A/E), construction, equipment, art in public places, and other related project costs. Additionally, the projected costs of program manager services are included. Capital reserves, debt service payments, and other capital purchases found in the Operating Budget are not included in this budget.

On September 15, 2004 the FY 2004-2005 Proposed Capital Budget and updated Capital Improvement Plan was discussed at a joint meeting of the Finance and Citywide Projects Committee and the General Obligation Bond Oversight Committee. A presentation was made outlining the neighborhood enhancements, park renovation and upgrades, construction of new facilities, and upgrades to utility systems that were planned for FY 2004-2005. Copies of the draft Proposed Capital Budget for FY 2004-2005 and the updated Capital Improvement Plan were distributed to each member in advance. The Capital Improvement Project Office Director, Chief Financial Officer, department directors,

and other City staff were available to discuss specific projects and respond to the Committee's questions (please see Exhibit C and Exhibit D for adjustments to the Capital Budget and Capital Plan subsequent to the September 15, 2004 joint committee meeting).

CONCLUSION:

The Administration recommends adoption of the attached Resolution, which establishes the Capital Budget for Fiscal Year 2004-2005 and the Capital Improvement Program for Fiscal Years 2005-2009.

JMG:PDW:mim 

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RESOLUTION NO. _____

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF
THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE CITY OF
MIAMI BEACH AND MIAMI BEACH REDEVELOPMENT AGENCY
CAPITAL BUDGET FOR FISCAL YEAR 2004-2005 AND THE
CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2005-2009.**

WHEREAS, the 2005-2009 Capital Improvement Plan (CIP) for the City of Miami Beach is a five year plan for public improvements and capital expenditures by the City; and

WHEREAS, this document is an official statement of public policy regarding long-range physical development in the City of Miami Beach; and

WHEREAS, on July 21, 1999 the City Commission approved the Fiscal Year (FY) 1999-2004 CIP for the City of Miami Beach and the Miami Beach Redevelopment Agency; and

WHEREAS, since that time, the City has issued \$92 million of General Obligation Bonds (pursuant to referendum); issued \$54 million of Water and Sewer Bonds; and \$52 million of Stormwater Revenue Bonds; and

WHEREAS, on August 18, 2004, the Finance and Citywide Projects Committee approved the issuance of an additional \$35 million of Water and Sewer Bonds; and

WHEREAS, the approved CIP has been updated to include projects that will be active during the FY 2005 through 2009; and

WHEREAS, the Capital Budget itemizes project funds to be committed during the upcoming fiscal year, detailing expenses for project components which include: architect and engineer (A/E), construction, equipment, Art in Public Places, and other related capital project costs; and

WHEREAS, the Capital Budget for FY 2004-2005 totals \$85,046,436, and includes seventy projects and capital equipment acquisitions, recommended for appropriation in conjunction with the FY 2004-2005 City of Miami Beach Operating Budget; and

WHEREAS, on September 15, 2004, the FY 2004-2005 Proposed Capital Budget and updated CIP were discussed at a joint meeting of the Finance and Citywide Projects Committee and the General Obligation Bond Oversight Committee; and

WHEREAS, a copy of the proposed Capital Budget for FY 2004-2005 is included below.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby adopt and appropriate, the City of Miami Beach/Miami Beach Redevelopment Agency

Capital Budget for Fiscal Year 2004-2005 and adopt the Capital Improvement Plan for Fiscal Year 2005-2009.

Proposed Source of Funding	Funding
Water & Sewer Bond 2004	\$ 28,560,672
Stormwater Bond 2000	13,699,900
General Obligation Bond-Neighborhoods 2003	8,785,767
Water & Sewer Bond 2000	7,953,525
Parking Bond Fund 481	5,084,450
South Pointe RDA Tax Increment Funds	5,053,240
City Center RDA Tax Increment Funds	4,236,663
General Obligation Bonds-Parks & Beaches 2003	3,719,995
Equipment Master Lease	2,833,173
Transit Surtax Funds	1,856,000
Interlocal Agreement - FY 04 \$15M	1,100,000
Parking Bond Fund 485	644,030
Local Gas Tax	525,000
Convention Development Tax Interlocal Agreement	316,800
Parking Impact Fees	281,971
Communications Fund 550	255,086
Gulf Breeze Loan Pool	63,685
Metropolitan Planning Organization	45,000
Concurrency Mitigation Funds	30,000
General Obligation Bond-Fire Safety 2003	1,479
Total	\$ 85,046,436

This resolution shall take effect immediately upon its adoption.

ADOPTED this 28th day of September, 2004.

(SEAL)

Mayor

Attest:

City Clerk

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

M. M. M. M. 9-23-04
City Attorney Date

Exhibit A

FY 2004-2005 Capital Budget

Funding Summary

<i>Funding Source</i>	<i>Project Name</i>	<i>Revenue</i>
CDT Interlocal Agreement		
	Citywide Wayfinding Signage Master Plan & Project	316,800.00
	Sum	316,800.00
City Center TIF		
	Convention Center East Streetscape	3,574,031.00
	Citywide Wayfinding Signage Master Plan & Project	431,840.00
	Convention Center & Topa Restroom, Interior and ADA Renovations & Porte Cochere	185,950.00
	Cultural Campus Streetscape	29,935.00
	Flamingo North, East, and West Neighborhoods Streetscape (Bid Package C)	14,907.00
	Sum	4,236,663.00
Communications Fund 550		
	Citywide Communications System	255,086.00
	Sum	255,086.00
Concurrency Mitigation Funds		
	16th Street Operational & Safety Improvements	30,000.00
	Sum	30,000.00
Equipment Master Lease		
	FY 05 Fleet Management Capital Replacement and Purchase of Sedans and Light Trucks	2,024,000.00
	FY 05 Fleet Management Capital Replacement and Purchase of Heavy Trucks and Other Equip	543,100.00
	Citywide Communications System	266,073.00
	Sum	2,833,173.00
GO Bond - Fire Safety 2003		
	Property Management Facility	1,479.00

<i>Funding Source</i>	<i>Project Name</i>	<i>Revenue</i>
	Sum	1,479.00
GO Bond - Neighborhoods 2003		
	Bayshore Neighborhood Bid Package A: Bayshore-Ph I, Flamingo Terr-Ph II, & 40th St. Streetsc	2,820,240.00
	Flamingo B - Lummus Neighborhood Streetscape (Flamingo Bid Package B)	2,207,369.00
	Venetian Islands - Belle Isle (Bid Package 13-B)	2,046,572.00
	Lake Pancoast Streetscape (Bayshore Phase IV, Bid Package C)	790,020.00
	West / Bay Neighborhood Street End Shorelines	180,000.00
	North Shore Neighborhood Streetscape	150,815.00
	Surprise Waterway Channel Dredging	120,000.00
	Biscayne Point Neighborhood Streetscape	64,828.00
	Nautilus Neighborhood Streetscape	60,091.00
	Ocean Front Neighborhood Streetscape	50,582.00
	Normandy Isle / Normandy Sud Neighborhood Streetscape	49,107.00
	Normandy Shores Neighborhood Streetscape	42,083.00
	Venetian Islands - Phase I - Islands (Bid Package C)	36,912.00
	Flamingo South Neighborhood Streetscape (Flamingo Bid Package A)	30,394.00
	Flamingo North, East, and West Neighborhoods Streetscape (Bid Package C)	29,055.00
	South Pointe Streetscape - Phase III & Phase IV	25,274.00
	Venetian Islands - Phase II - Causeway (Bid Package D)	22,724.00
	Lower North Bay Road Streetscape (Bayshore Phase II, Bid Package B)	18,172.00
	Public Works Facility & Yard Renovation	15,278.00
	West Avenue / Bay Road Neighborhood Streetscape - Bid Pack B	12,993.00
	Property Management Facility	8,281.00
	La Gorce Neighborhood Streetscape	2,476.00
	Palm and Hibiscus Islands Streetscape - Bid 13A	1,342.00
	Star Island Streetscape Improvements - Bid 13A	973.00
	Sunset Islands (Bayshore Phase VI, Bid Package D)	186.00

<i>Funding Source</i>	<i>Project Name</i>	<i>Revenue</i>
GO Bond - Parks & Beaches 2003	Sum	8,785,767.00
	Altos del Mar Park Improvements	2,401,991.00
	Collins Park	653,729.00
	ADA City-Wide Renovations	250,000.00
	Roof Repairs - City Facilities	175,000.00
	Normandy Isle Park & Pool	147,120.00
	South Pointe Park	30,414.00
	Flamingo Park - Park	20,666.00
	"The Garden Center" Botanical Garden Renovations: Phase II	12,623.00
	Lummus Park	8,834.00
	Public Works Facility & Yard Renovation	6,519.00
	Normandy Shores Golf Course and Clubhouse	4,958.00
	Shane Water Sports Center	4,320.00
	Property Management Facility	3,821.00
	Sum	3,719,995.00
	Miami Beach Course Renovation	45,927.00
	Normandy Shores Golf Course and Clubhouse	17,758.00
	Sum	63,685.00
Interlocal Agreement - FY 04 \$15M	FY 05 Replacement of S.E. Chillers	680,000.00
	FY 05 Gleason Theater Restroom Renovation ADA	250,000.00
	FY 05 Miscellaneous Replacement	170,000.00
	Sum	1,100,000.00
Local Gas Tax		

<i>Funding Source</i>	<i>Project Name</i>	<i>Revenue</i>
	Pavements & Sidewalks	230,000.00
	Street Lighting	220,000.00
	Bridge Repairs	75,000.00
	Sum	525,000.00
MPO		
	16th Street Operational & Safety Improvements	45,000.00
	Sum	45,000.00
Parking Bond Fund 481	Master Meter Phase II	2,439,250.00
	Surface Lot Renovations Phase IV	1,725,000.00
	Citywide Wayfinding Signage Master Plan & Project	475,200.00
	Pay on Foot (POF) Machines	365,000.00
	Closed Circuit Television System (CCTV)	80,000.00
	Sum	5,084,450.00
Parking Bond Fund 485		
	Parking Garages Maintenance	644,030.00
	Sum	644,030.00
Parking Impact Fees		
	Multi-Purpose Municipal Parking Facility	281,971.00
	Sum	281,971.00
SP RDA TIF		
	South Pointe Streetscape - Phase III & Phase IV	1,801,121.00
	South Pointe Streetscape - Phase II	1,180,288.00
	Beachwalk II (5th Street to Washington Park)	1,000,000.00
	South Pointe Streetscape - Phase V	267,725.00
	South Pointe Streetscape - Phase I	247,046.00

<i>Funding Source</i>	<i>Project Name</i>	<i>Revenue</i>
	Citywide Wayfinding Signage Master Plan & Project	239,440.00
	Surface Lot Renovations Phase IV	165,000.00
	Flamingo South Neighborhood Streetscape (Flamingo Bid Package A)	59,352.00
	Water & Sewer Pump Station Upgrades Program	50,087.00
	South Pointe Park	43,181.00
	Sum	5,053,240.00
Stormwater Bond 2000		
	Flamingo South Neighborhood Streetscape (Flamingo Bid Package A)	5,715,495.00
	Bayshore Neighborhood Bid Package A: Bayshore-Ph I, Flamingo Terr-Ph II, & 40th St. Streetsc	4,357,474.00
	West Avenue / Bay Road Neighborhood Streetscape - Bid Pack A	1,044,129.00
	Venetian Islands - Phase I - Islands (Bid Package C)	668,660.00
	Lake Pancoast Streetscape (Bayshore Phase IV, Bid Package C)	604,647.00
	Flamingo North, East, and West Neighborhoods Streetscape (Bid Package C)	412,990.00
	Nautilus Neighborhood Streetscape	195,183.00
	Normandy Shores Neighborhood Streetscape	162,750.00
	Lower North Bay Road Streetscape (Bayshore Phase II, Bid Package B)	137,839.00
	La Gorce Neighborhood Streetscape	115,630.00
	West Avenue / Bay Road Neighborhood Streetscape - Bid Pack B	82,250.00
	Venetian Islands - Belle Isle (Bid Package 13-B)	52,818.00
	Biscayne Point Neighborhood Streetscape	49,574.00
	Palm and Hibiscus Islands Streetscape - Bid 13A	40,796.00
	Normandy Isle / Normandy Sud Neighborhood Streetscape	24,527.00
	West / Bay Neighborhood Street End Shorelines	18,918.00
	Sunset Islands (Bayshore Phase VI, Bid Package D)	16,220.00
	Sum	13,699,900.00
Transit Surtax Funds		
	Pavements & Sidewalks	1,266,000.00

<i>Funding Source</i>	<i>Project Name</i>	<i>Revenue</i>
	Collins/Harding Corridor Project	150,000.00
	East-West Connector Bike Trail	150,000.00
	Beachwalk II (5th Street to Washington Park)	100,000.00
	Dade Boulevard Bicycle/Pedestrian Trail	100,000.00
	Venetian Causeway Bicycle-Pedestrian Trail	50,000.00
	47th Street Safety/Traffic Calming Improvements	40,000.00
	Sum	1,856,000.00
W & S Bond 2004		
	Flamingo South Neighborhood Streetscape (Flamingo Bid Package A)	10,280,503.00
	Nautilus Neighborhood Streetscape	7,318,644.00
	Bayshore Neighborhood Bid Package A: Bayshore-Ph I, Flamingo Terr-Ph II, & 40th St. Streetsc	4,470,349.00
	La Gorce Neighborhood Streetscape	1,326,378.00
	Normandy Isle / Normandy Sud Neighborhood Streetscape	1,208,264.00
	Venetian Islands - Belle Isle (Bid Package 13-B)	873,277.00
	Palm and Hibiscus Islands Streetscape - Bid 13A	845,071.00
	Ocean Front Neighborhood Streetscape	831,693.00
	West Avenue / Bay Road Neighborhood Streetscape - Bid Pack B	355,917.00
	North Shore Neighborhood Streetscape	294,535.00
	Biscayne Point Neighborhood Streetscape	241,498.00
	Flamingo North, East, and West Neighborhoods Streetscape (Bid Package C)	223,176.00
	Sunset Islands (Bayshore Phase VI, Bid Package D)	162,015.00
	Lake Panoast Streetscape (Bayshore Phase IV, Bid Package C)	83,169.00
	Lower North Bay Road Streetscape (Bayshore Phase II, Bid Package B)	46,183.00
	Sum	28,560,672.00
W&S Bond 2000		
	Bayshore Neighborhood Bid Package A: Bayshore-Ph I, Flamingo Terr-Ph II, & 40th St. Streetsc	2,623,549.00
	Miscellaneous Waste Water System Upgrades	2,027,202.00

<i>Funding Source</i>	<i>Project Name</i>	<i>Revenue</i>
	Flamingo B - Lummus Neighborhood Streetscape (Flamingo Bid Package B)	1,407,149.00
	DERM Wastewater Contingency Plan	454,057.00
	Flamingo South Neighborhood Streetscape (Flamingo Bid Package A)	278,178.00
	Flamingo North, East, and West Neighborhoods Streetscape (Bid Package C)	255,142.00
	Normandy Isle / Normandy Sud Neighborhood Streetscape	213,057.00
	Venetian Islands - Phase I - Islands (Bid Package C)	134,009.00
	North Shore Neighborhood Streetscape	117,285.00
	Nautilus Neighborhood Streetscape	116,296.00
	Normandy Shores Neighborhood Streetscape	111,064.00
	Sunset Islands (Bayshore Phase VI, Bid Package D)	99,336.00
	Lower North Bay Road Streetscape (Bayshore Phase II, Bid Package B)	39,490.00
	Palm and Hibiscus Islands Streetscape - Bid 13A	21,590.00
	West Avenue / Bay Road Neighborhood Streetscape - Bid Pack B	17,824.00
	Star Island Streetscape Improvements - Bid 13A	16,119.00
	Venetian Islands - Belle Isle (Bid Package 13-B)	14,099.00
	Ocean Front Neighborhood Streetscape	6,756.00
	La Gorce Neighborhood Streetscape	1,196.00
	Biscayne Point Neighborhood Streetscape	127.00
	Sum	7,953,525.00
	Grand Total	85,046,436.00

Exhibit B

FY 2004-2005 Capital Budget by Program

<i>Program</i>	<i>Section</i>	<i>Neighborhood</i>	<i>Project ID</i>	<i>Total Cost 2004-2005</i>
Equipment				
Fleet Management				
1 FY 05 Fleet Management Capital Replacement and Purchase of Sedans and	Citywide	12. City-Wide	1268	2,024,000.00
2 FY 05 Fleet Management Capital Replacement and Purchase of Heavy	Citywide	12. City-Wide	1269	543,100.00
Total per group				2,567,100.00
Information Technology				
1 Citywide Communications System	Citywide	12. City-Wide	1286	521,159.00
Total per group				521,159.00

<i>Program</i>	<i>Section</i>	<i>Neighborhood</i>	<i>Project ID</i>	<i>Total Cost 2004-2005</i>
Parking				
Equipment				
1 Closed Circuit Television System (CCTV)	Citywide	12. City-Wide	1272	80,000.00
Total per group				80,000.00
Garages				
1 Multi-Purpose Municipal Parking Facility	South Beach	8. Flamingo	1270	281,971.00
2 Parking Garages Maintenance	Citywide	12. City-Wide	1274	644,030.00
Total per group				926,001.00
Lots				
1 Surface Lot Renovations Phase IV	Citywide	12. City-Wide	1275	1,890,000.00
Total per group				1,890,000.00
Meter Program/Revenue Control System				
1 Master Meter Phase II	Citywide	12. City-Wide	1273	2,439,250.00
2 Pay on Foot (POF) Machines	Citywide	12. City-Wide	1276	365,000.00
Total per group				2,804,250.00

<i>Program</i>	<i>Section</i>	<i>Neighborhood</i>	<i>Project ID</i>	<i>Total Cost 2004-2005</i>
Parks and Recreation				
Community Centers				
1 "The Garden Center" Botanical Garden Renovations: Phase II	South Beach	8. Flamingo	860	12,623.00
Total per group				12,623.00
Golf Courses				
1 Normandy Shores Golf Course and Clubhouse	North Beach	3. Normandy Isle	755	22,716.00
2 Miami Beach Course Renovation	Middle Beach	7. Bayshore	924	45,927.00
Total per group				68,643.00
Parks				
1 Altos del Mar Park Improvements	North Beach	2. North Shore	693	2,401,991.00
2 Normandy Isle Park & Pool	North Beach	3. Normandy Isle	702	147,120.00
3 Flamingo Park - Park	South Beach	8. Flamingo	851	20,666.00
4 Lummus Park	South Beach	8. Flamingo	856	8,834.00
5 Collins Park	South Beach	8. Flamingo	902	653,729.00
6 South Pointe Park	South Beach	11. South Pointe	967	73,595.00
Total per group				3,305,935.00

<i>Program</i>	<i>Section</i>	<i>Neighborhood</i>	<i>Project ID</i>	<i>Total Cost 2004-2005</i>
Public Facilities				
Convention Center				
1 Convention Center & Topa Restroom, Interior and ADA Renovations & Porte	South Beach	8. Flamingo	789	185,950.00
2 FY 05 Replacement of S.E. Chillers	South Beach	8. Flamingo	1252	680,000.00
3 FY 05 Miscellaneous Replacement	South Beach	8. Flamingo	1254	170,000.00
Total per group				1,035,950.00
General - Public Buildings				
1 Shane Water Sports Center	North Beach	2. North Shore	720	4,320.00
2 Public Works Facility & Yard Renovation	Middle Beach	7. Bayshore	786	21,797.00
3 Property Management Facility	South Beach	8. Flamingo	867	13,581.00
4 ADA City-Wide Renovations	Citywide	12. City-Wide	981	250,000.00
5 Roof Repairs - City Facilities	Citywide	12. City-Wide	995	175,000.00
Total per group				464,698.00
TOPA				
1 FY 05 Gleason Theater Restroom Renovation ADA	South Beach	8. Flamingo	1263	250,000.00
Total per group				250,000.00

<i>Program</i>	<i>Section</i>	<i>Neighborhood</i>	<i>Project ID</i>	<i>Total Cost 2004-2005</i>
Public Works				
Lighting				
1 Street Lighting	Citywide	12. City-Wide	974	220,000.00
Total per group				220,000.00
Seawalls				
1 West / Bay Neighborhood Street End Shorelines	South Beach	9. West Ave.	898	198,918.00
2 Surprise Waterway Channel Dredging	Citywide	4. La Gorce	1071	120,000.00
Total per group				318,918.00

<i>Program</i>	<i>Section</i>	<i>Neighborhood</i>	<i>Project ID</i>	<i>Total Cost 2004-2005</i>
Street/Sidewalk/Streetscape Improvements				
1 Biscayne Point Neighborhood Streetscape	North Beach	1. Biscayne Point	678	356,027.00
2 La Gorce Neighborhood Streetscape	Middle Beach	4. La Gorce	704	1,445,680.00
3 North Shore Neighborhood Streetscape	North Beach	2. North Shore	708	562,635.00
4 Normandy Shores Neighborhood Streetscape	North Beach	2. North Shore	731	315,897.00
5 Ocean Front Neighborhood Streetscape	Middle Beach	5. Oceanfront	748	889,031.00
6 Normandy Isle / Normandy Sud Neighborhood Streetscape	North Beach	3. Normandy Isle	764	1,494,955.00
7 Nautilus Neighborhood Streetscape	Middle Beach	6. Nautilus	769	7,690,214.00
8 Flamingo North, East, and West Neighborhoods Streetscape (Bid Package C)	South Beach	8. Flamingo	784	935,270.00
9 Convention Center East Streetscape	South Beach	8. Flamingo	795	3,574,031.00
10 Flamingo South Neighborhood Streetscape (Flamingo Bid Package A)	South Beach	8. Flamingo	807	16,363,922.00
11 Flamingo B - Lummus Neighborhood Streetscape (Flamingo Bid Package B)	South Beach	8. Flamingo	812	3,614,518.00
12 Bayshore Neighborhood Bid Package A: Bayshore-Ph I, Flamingo Terr-Ph II, &	Middle Beach	7. Bayshore	818	14,271,612.00
13 Lake Pancoast Streetscape (Bayshore Phase IV, Bid Package C)	Middle Beach	7. Bayshore	862	1,477,836.00
14 Lower North Bay Road Streetscape (Bayshore Phase II, Bid Package B)	Middle Beach	7. Bayshore	864	241,684.00
15 Sunset Islands (Bayshore Phase VI, Bid Package D)	Middle Beach	7. Bayshore	872	277,757.00
16 West Avenue / Bay Road Neighborhood Streetscape - Bid Pack B	South Beach	9. West Ave.	877	468,984.00

<i>Program</i>	<i>Section</i>	<i>Neighborhood</i>	<i>Project ID</i>	<i>Total Cost 2004-2005</i>
17 Cultural Campus Streetscape	South Beach	8. Flamingo	913	29,935.00
18 South Pointe Streetscape - Phase I	South Beach	11. South Pointe	914	247,046.00
19 South Pointe Streetscape - Phase II	South Beach	11. South Pointe	930	1,180,288.00
20 Palm and Hibiscus Islands Streetscape - Bid 13A	South Beach	10. Islands	939	908,799.00
21 Venetian Islands - Belle Isle (Bid Package 13-B)	South Beach	10. Islands	940	2,986,766.00
22 South Pointe Streetscape - Phase III & Phase IV	South Beach	11. South Pointe	942	1,826,395.00
23 Venetian Islands - Phase I - Islands (Bid Package C)	South Beach	10. Islands	953	839,581.00
24 Star Island Streetscape Improvements - Bid 13A	South Beach	10. Islands	957	17,092.00
25 Venetian Islands - Phase II - Causeway (Bid Package D)	South Beach	10. Islands	961	22,724.00
26 South Pointe Streetscape - Phase V	South Beach	11. South Pointe	963	267,725.00
27 Beachwalk II (5th Street to Washington Park)	South Beach	8. Flamingo	1072	1,100,000.00
28 West Avenue / Bay Road Neighborhood Streetscape- Bid Pack A	South Beach	9. West Ave.	1277	1,044,129.00
Total per group				64,450,533.00

<i>Program</i>	<i>Section</i>	<i>Neighborhood</i>	<i>Project ID</i>	<i>Total Cost 2004-2005</i>
Utilities				
1 DERM Wastewater Contingency Plan	North Beach	2. North Shore	746	454,057.00
2 Miscellaneous Waste Water System Upgrades	Citywide	12. City-Wide	989	2,027,202.00
3 Water & Sewer Pump Station Upgrades Program	Citywide	12. City-Wide	1106	50,087.00
Total per group				2,531,346.00
Transportation				
Transit				
1 Pavements & Sidewalks	Citywide	12. City-Wide	976	1,496,000.00
2 Citywide Wayfinding Signage Master Plan & Project	Citywide	12. City-Wide	978	1,463,280.00
3 Bridge Repairs	Citywide	12. City-Wide	1096	75,000.00
4 East-West Connector Bike Trail	North Beach	2. North Shore	1278	150,000.00
5 Dade Boulevard Bicycle-Pedestrian Trail	South Beach	8. Flamingo	1279	100,000.00
6 16th Street Operational & Safety Improvements	South Beach	8. Flamingo	1280	75,000.00
7 Venetian Causeway Bicycle-Pedestrian Trail	South Beach	10. Islands	1281	50,000.00
8 47th Street Safety/Traffic Calming Improvements	Middle Beach	6. Nautilus	1282	40,000.00
9 Collins/Harding Corridor Project	North Beach	2. North Shore	1283	150,000.00
Total per group				3,599,280.00

Exhibit C

CITY OF MIAMI BEACH

FY 2004-2005 CAPITAL BUDGET

EXHIBIT C

ADJUSTMENTS TO THE CAPITAL BUDGET SUBSEQUENT TO THE 09/15/2004 JOINT FINANCE AND CITYWIDE PROJECTS AND GENERAL OBLIGATION BOND COMMITTEE MEETING

Funding Summary	1st Draft FY 04-05 Budget	Amended Budget FY 04-05	Net Increase/ (Decrease)
Interlocal Agreement - FY 04 \$15M			
FY 05 Replacement of S.E. Chillers	\$ 680,000	\$ 680,000	\$ -
FY 05 Gleason Theater Sound/Lighting Improvement	400,000	-	(400,000)
FY 05 West Meeting Room Dimmer Replacement	340,000	-	(340,000)
FY 05 Airwall Rehabilitation	250,000	-	(250,000)
FY 05 Gleason Theater Restroom Renovation ADA	250,000	250,000	-
FY 05 Theatrical Lighting Equipment	250,000	-	(250,000)
FY 05 West Atrium Escalator	175,000	-	(175,000)
FY 05 Miscellaneous Replacement	150,000	170,000	20,000
FY 05 Security Camera System Upgrades	150,000	-	(150,000)
FY 05 Theater Hall Interior Painting	150,000	-	(150,000)
FY 05 N.W. Chiller Room Retrofit	135,000	-	(135,000)
FY 05 Interior & Sidewalk Painting	110,000	-	(110,000)
FY 05 Gleason Theater ADA Signage Program	100,000	-	(100,000)
FY 05 Gleason Theater Lounge Furniture	100,000	-	(100,000)
FY 05 Cleaning Equipment	50,000	-	(50,000)
FY 05 Convention Center Window Tinting (West Side)	40,000	-	(40,000)
FY 05 Convention Center Podium Replacement	25,000	-	(25,000)
FY 05 Landscaping (General)	25,000	-	(25,000)
FY 05 Linen Replacement	25,000	-	(25,000)
FY 05 Meeting Room Sound Equipment	25,000	-	(25,000)
FY 05 Security Camera Replacement	25,000	-	(25,000)
FY 05 Table Replacement	25,000	-	(25,000)
Total Interlocal Agreement - FY 04 \$15M	\$ 3,480,000	\$ 1,100,000	\$ (2,380,000)
Equipment Master Lease			
FY 05 Fleet Management Replacement & Purch. of Cars & Light Trucks	\$ 2,024,000	\$ 2,024,000	\$ -
FY 05 Fleet Mgmt. Capital Replace & Purch. of Heavy Trucks & Oth. Equip	543,100	543,100	-
Citywide Communications System	-	266,073	266,073
Total Equipment Master Lease	\$ 2,567,100	\$ 2,833,173	\$ 266,073
Communications Fund 550			
Citywide Communications System	-	\$ 255,086	\$ 255,086
Total Communications Fund 550	\$ -	\$ 255,086	\$ 255,086
Total Adjustment to FY 2004-2005 Budget			\$ (1,858,841)

Exhibit D

CITY OF MIAMI BEACH
FY 2005-2009 CAPITAL IMPROVEMENT PLAN
EXHIBIT D

ADJUSTMENTS TO THE CAPITAL PLAN SUBSEQUENT TO THE 09/15/2004 JOINT FINANCE AND CITYWIDE PROJECTS
AND GENERAL OBLIGATION BOND COMMITTEE MEETING

Funding Summary	1st Draft CIP Plan FY 05-09	Amended CIP Plan FY 05-09	Net Increase/ (Decrease)
Interlocal Agreement - FY 04 \$15M			
FY 05 Replacement of S.E. Chillers	\$ 680,000	\$ 680,000	\$ -
FY 05 Gleason Theater Sound/Lighting Improvement	400,000	-	(400,000)
FY 05 West Meeting Room Dimmer Replacement	340,000	-	(340,000)
FY 05 Airwall Rehabilitation	250,000	-	(250,000)
FY 05 Gleason Theater Restroom Renovation ADA	250,000	250,000	-
FY 05 Theatrical Lighting Equipment	250,000	-	(250,000)
FY 05 West Atrium Escalator	175,000	-	(175,000)
FY 05 Miscellaneous Replacement	150,000	170,000	20,000
FY 05 Security Camera System Upgrades	150,000	-	(150,000)
FY 05 Theater Hall Interior Painting	150,000	-	(150,000)
FY 05 N.W. Chiller Room Retrofit	135,000	-	(135,000)
FY 05 Interior & Sidewalk Painting	110,000	-	(110,000)
FY 05 Gleason Theater ADA Signage Program	100,000	-	(100,000)
FY 05 Gleason Theater Lounge Furniture	100,000	-	(100,000)
FY 05 Cleaning Equipment	50,000	-	(50,000)
FY 05 Convention Center Window Tinting (West Side)	40,000	-	(40,000)
FY 05 Convention Center Podium Replacement	25,000	-	(25,000)
FY 05 Landscaping (General)	25,000	-	(25,000)
FY 05 Linen Replacement	25,000	-	(25,000)
FY 05 Meeting Room Sound Equipment	25,000	-	(25,000)
FY 05 Security Camera Replacement	25,000	-	(25,000)
FY 05 Table Replacement	25,000	-	(25,000)
Total Interlocal Agreement - FY 04 \$15M	\$ 3,480,000	\$ 1,100,000	\$ (2,380,000)
Equipment Master Lease			
FY 05 Fleet Management Replacement & Purch. of Cars & Light Trucks	\$ 2,024,000	\$ 2,024,000	\$ -
FY 05 Fleet Mgmt. Capital Replace & Purch. of Heavy Trucks & Oth. Equip	543,100	543,100	-
Citywide Communications System	-	266,073	266,073
Total Equipment Master Lease	\$ 2,567,100	\$ 2,833,173	\$ 266,073
Communications Fund 550			
Citywide Communications System	-	\$ 255,086	\$ 255,086
Total Communications Fund 550	\$ -	\$ 255,086	\$ 255,086
Parking			
Master Meter Phase II	\$ 4,839,250	\$ 4,839,250	\$ -
Surface Lot Renovations - Phase IV	3,560,000	3,560,000	-
Pay on Foot (POF) Machines	1,800,000	800,000	(1,000,000)
Citywide Wayfinding Signage Master Plan & Project	600,000	600,000	-
Closed Circuit Television System (CCTV)	480,000	480,000	-
Parking Garages Maintenance	294,428	294,428	-
VIN - Vehicle Identification Network	200,000	200,000	-
South Pointe Streetscape - Phase I	150,000	150,000	-
Total Parking Bond Fund 481	\$ 11,923,678	\$ 10,923,678	\$ (1,000,000)
Total Adjustment to FY 2005-2009 Plan			\$ (2,858,841)

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution adopting Fiscal Year 2004/05 budgets for Special Revenue funds for Resort Tax; 7th Street Garage Operations; Recreation Programs; Log Cabin Training Center Operations; and the State Major Cultural Institution Grant for the Bass Museum.

Issue:

Should the Commission adopt Fiscal Year 2004/05 budgets for Special Revenue funds for Resort Tax, 7th Street Garage Operations; Recreation Programs; Log Cabin Training Center Operations; and the State Major Cultural Institution Grant for the Bass Museum?

Item Summary/Recommendation:

The administration recommends adopting the Fiscal Year 2004/05 budgets for Special revenue funds for Resort Tax; 7th Street Garage Operations; Recreation Programs; Log Cabin Training Center Operations; and the State Major Cultural Institution Grant for the Bass Museum.

Advisory Board Recommendation:

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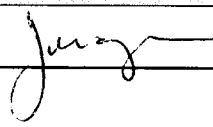
Financial Information:

Source of Funds:		Amount	Account	Approved
	1	\$34,614,034	Resort Tax	
	2	2,027,333	7 th Street Garage Operations	
	3	1,253,000	Recreation Programs	
	4	339,084	Log Cabin Training Ctr Ope	
	5	77,013	State Grant for Bass Museum	
	6			
Finance Dept.	Total	\$38,310,464		

City Clerk's Office Legislative Tracking:

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Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

AGENDA ITEM R7E
DATE 9-28-04

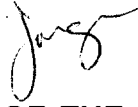
CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission **Date:** September 28, 2004

From: Jorge M. Gonzalez
City Manager 

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING FISCAL YEAR 2004/05 BUDGETS FOR SPECIAL REVENUE FUNDS FOR RESORT TAX; 7TH STREET GARAGE OPERATIONS; RECREATION PROGRAMS; LOG CABIN TRAINING CENTER OPERATIONS; AND THE STATE MAJOR CULTURAL INSTITUTION GRANT FOR THE BASS MUSEUM.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

The City currently offers certain programs and activities not supported through the general operating budget, but by outside agency grants, self-supporting user fee programs and private donations. Funding from these sources will be utilized as follows:

Resort Tax - \$34,614,034

This fund accounts for the collection of the special tax levied citywide on food, beverage and room rents used to support tourism related activities. This function, which operated under the direction of the Finance Department and the Office of Internal Audit, is responsible for ensuring that hotels, restaurants, bars and other establishments which serve food and beverages for consumption on its premises, comply with Article V of the City Code as it related to the reporting, and collection of resort taxes to the City.

An allocation for "operations" provides for all collection and audit expenses associated with administering the Resort Tax function and are charged directly to this Special revenue Fund. Included in this allocation is funding for seven (7) positions and associated operating support totaling \$884,854.

The allocation to the General Fund for Fiscal Year 2004/05 of approximately \$18.9 million pays for tourist related services and costs provided or managed by General Fund Departments. This funding supports approximately \$17.5 million of public safety programs including our beach patrol, police services on Lincoln Road, Ocean Drive/Lummus Park, Collins Avenue, Washington Avenue, ATV officers, Boardwalk security, special traffic enforcement and special event staffing; and fire rescue units in tourist and visitor areas as well as special event support services. Approximately \$900,000 is used to provide enhanced cleaning, landscape and other maintenance in the Lincoln Road, Ocean Drive/Lummus Park, Collins Avenue, Washington Avenue as well as for tourist and visitor areas in Middle and North Beach. This funding also supports code compliance services to respond to evening entertainment areas and for special events. An additional \$500,000 provides for a portion of the operational costs of the Tourism and Cultural Development Department, and a contribution to the Cultural Arts Council beyond their annual interest allocation from the investment of City funds.

The Fiscal Year 2004/05 budget also includes a \$1.6 million contingency for other Resort Tax eligible expenses such as: special events, festivals, marketing, and protocol. This budget also reflects the revised allocation method for the Quality of Life funding, which includes the arts, approved by the Finance and Citywide Projects Committee on February 18, 2004. Please see Attachment "A" for the revenue and expenditure detail budget.

7th Street Garage - \$2,027,333

The Parking Department is responsible for the collection of the revenues which will be used to pay operating expenses and debt service. The operating budget is required to cover operating expenses, debt service, and reserve for replacement. In the event of any shortfall in projected revenues, the difference shall be made up by funds from excess parking revenues.

Operating Expenses	\$1,016,228
Debt Service	714,000
Reserve for Replacement	297,105
Total	<u>\$2,027,333</u>

Recreation Programs - \$1,253,000

Recreational programs and activities funded through special revenues and self-supporting user fees are listed below:

<u>PROGRAM/ACTIVITY</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Playgrounds	610.6400	\$350,000
Ice Skating Instructions	610.6430	150,000
Youth Center Classes	610.6431	87,500
Gymnastics	610.6432	15,000
Youth Center Operations	610.6433	26,500
Summer Camp - Youth	610.6434	96,000
Skate/Shoe Rental	610.6435	42,500
North Shore Park	610.6440	65,000
NS/Margaret M. Swett Social Club	610.6451	8,000
Flamingo Park	610.6453	50,000
Athletics	610.6454	125,000
South Pointe Park	610.6491	56,000
21st Street Community Center	610.6492	126,500
Special Events	610.6499	55,000
Total		<u>\$1,253,000</u>

Log Cabin Training Center - \$339,084

The Log Cabin Training Center provides vocational and life skills training to developmentally disabled adults with the ultimate goal of enabling these clients to lead independent, productive and integrated lives within our community. Funding for this program for salaries and fringes (\$102,284) and operating (\$236,800) is provided by the State's Medicaid Waiver program, fees and private clients.

The following is breakdown of the funding sources: Florida Department of Children and Families (DCF) Adult Day Training Program (ADTP) - \$242,024, Transportation - \$33,990, Supported Employment Program (SE) – \$42,076, and Supported Independent Living (SIL) - \$20,994. In addition, the City's General Fund contributes \$46,919 for operations. It is anticipated that by

the end of FY 2004/05, the City will transition/outsource the Training Center through an RFP process to a private entity to continue providing a day-training program for developmentally disabled adults.

<u>PROGRAM/ACTIVITY</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Adult Day Training Program	114.0982	\$242,024
Transportation	114.0982	33,990
Supported Employment Program	114.0982	42,076
Supported Independent Living Program	114.0984	20,994
Total		<u>\$339,084</u>

State Major Cultural Institution Grant for the Bass Museum of Art – \$77,013

Second year of a three-year grant from the State of Florida Division of Cultural Affairs to provide security personnel for the facility and other operating support.

CONCLUSION

The attached Resolution adopting funding for FY 2004/05 budgets from these sources is vital to the continuation of these projects and activities provided by the City.

JMG:KGB:JC

**CITY OF MIAMI BEACH, FLORIDA
RESORT TAX FUND BUDGET - FISCAL 2005**

	2%	1%	Total
<u>Revenues:</u>			
Resort Tax	\$24,409,000	\$5,039,000	\$29,448,000
Special Assessment-North Shore	263,000		263,000
Repayment of RDA loan	4,843,534		4,843,534
Interest Income	52,500		52,500
Registration Fees	7,000		7,000
Total Revenue	29,575,034	5,039,000	34,614,034
<u>Expenditures:</u>			
<u>Personnel Costs:</u>			
Salaries & Wages	178,008		178,008
Health, Life & Dental Insurance	6,990		6,990
Pension Contributions & Other Benefits	27,993		27,993
Total Personnel Costs	212,991	0	212,991
<u>Operating Costs:</u>			
Professional Services	55,000		55,000
Internal Audit/Resort Tax Auditors' Expenditures	532,410		532,410
Telephone	50		50
Postage	500		500
Administrative Fees	26,450		26,450
Rent-Building & Equipment	3,235		3,235
Printing	100		100
Office Supplies	750		750
Other Operating Expenditures	1,000		1,000
Local Mileage	50		50
Training	2,000		2,000
Internal Service - Central Service	6,000		6,000
Internal Service - Property Maintenance	3,496		3,496
Internal Service - Communications	6,374		6,374
Internal Service - Self Insurance	16,189		16,189
Internal Service - Computers	15,520		15,520
Internal Service - Prop. Maintenance/Electrical	2,739		2,739
Total Operating Costs	671,863	0	671,863
Total Operating Expenditures	884,854	0	884,854
<u>Other Uses:</u>			
Contribution to VCA	1,171,632		1,171,632
Contribution to Bureau	5,000,000		5,000,000
Excise Tax Bonds	297,529		297,529
Other Designated Expenditures		2,519,500	2,519,500
Debt Service:			
North Shore	916,459		916,459
Gulf Breeze	707,685		707,685
TIF Bonds		2,519,500	2,519,500
Contingency	1,668,267		1,668,267
General Fund Contributions	18,928,608		18,928,608
Total Other Uses	28,690,180	5,039,000	33,729,180
Net	0	0	0

Explanation of Other Designated Expenditures:

South Beach Services	629,875	629,875
North Beach Services	629,875	629,875
Middle Beach Services	629,875	629,875
Arts	629,875	629,875
	<hr/>	<hr/>
	0	2,519,500
		<hr/>
		2,519,500

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING FISCAL YEAR 2004/05 BUDGETS FOR SPECIAL REVENUE FUNDS FOR RESORT TAX; RECREATION PROGRAMS; 7th STREET GARAGE OPERATIONS; LOG CABIN TRAINING CENTER OPERATIONS; AND THE STATE MAJOR CULTURAL INSTITUTION GRANT FOR THE BASS MUSEUM.

WHEREAS, expenses related to tourism, monitoring and auditing payments, and receipt of Resort Taxes to the City will be paid by the Resort Tax Fund; and

WHEREAS, the budget for the public parking garage located at 7th Street and Collins Avenue (the 7th Street Parking Garage) provides funding for operating expenses, debt service and a reserve for replacement; and

WHEREAS, certain recreational programs and activities not funded in the City's General Operating Budget will be funded through various self-supporting user fee programs; and

WHEREAS, support is received from the Florida Department of Children and Families and private contracts to fund the operations at the Log Cabin Training Center for developmentally disabled clients; and

WHEREAS, a State Major Institution Grant received by the Bass Museum of Art from the State of Florida Division of Cultural Affairs will be used for general operation purposes of the Museum.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby adopts the Fiscal Year 2004/05 budgets for Special revenue funds as listed below:

<u>SPECIAL REVENUE/ APPROPRIATIONS</u>	<u>FUND/ DEPT #</u>	<u>FY 2004/05 BUDGET</u>
RESORT TAX		
Resort Tax Fund	160.Variou	\$34,614,034
7th STREET GARAGE OPERATIONS	142.6976	\$2,027,333

SPECIAL REVENUE/
APPROPRIATIONS

FUND/
DEPT #

FY 2004/05
BUDGET

RECREATION PROGRAMS

Playgrounds	610.6400	\$350,000
Ice Skating Instructions	610.6430	150,000
Scott Rakow Youth Center Classes	610.6431	87,500
Gymnastics	610.6432	15,000
Scott Rakow Youth Center Operations	610.6433	26,500
Summer Camp - Youth	610.6434	96,000
Skate/Shoe Rental	610.6435	42,500
North Shore Park	610.6440	65,000
NS/Margaret M. Swett Social Club	610.6451	8,000
Flamingo Park	610.6453	50,000
Athletics	610.6454	125,000
South Pointe Park	610.6491	56,000
21st Street Community Center	610.6492	126,500
Special Events	610.6499	55,000
Total		<u>\$1,253,000</u>

LOG CABIN TRAINING CENTER OPERATIONS

Adult Day Training Program	114.0982	\$242,024
Transportation	114.0982	33,990
Supported Employment Program	114.0982	42,076
Supported Independent Living Program	114.0984	20,994
Total		<u>\$339,084</u>

**STATE MAJOR CULTURAL INSTITUTION
GRANT FOR THE BASS MUSEUM OF ART**

Operations	148.6153	\$77,013
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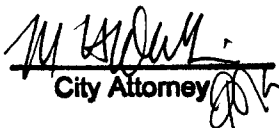
TOTAL ALL FUNDS **\$38,310,464**

PASSED and ADOPTED this 28th day of September 2004.

ATTEST BY:

CITY CLERK

MAYOR APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

 9-21-04
City Attorney Date

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A resolution of the Mayor and City Commission of the City of Miami Beach, Florida, approving the Miami Beach Cultural Arts Council's Fiscal Year 2004/2005 budget, in the amount of \$1,406,294.

Issue:

Shall the City approve the Miami Beach Cultural Arts Council's Fiscal Year 2004/2005 budget in the amount of \$1,406,294?

Item Summary/Recommendation:

The Cultural Arts Council (CAC) 2004-2005 Budget is allocated as follows:

Cultural Arts Grant Programs - The CAC's annual grant program represents 43% of their annual budget, which equals \$599,015. This includes a \$50,000 matching grant to the VCA for cultural tourism grants that support cultural events with documented tourism benefits.

Marketing - Utilized to promote the City of Miami Beach as the region's preeminent cultural destination and help market the programs of the City's 49 constituent arts groups. This represents 10% of their budget, which equals \$146,200.

Endowment - The CAC's will be contributed towards the City's Cultural Endowment with a contribution of \$50,000 or 4% of their annual budget.

Administration - Administrative and operating expenses represent 15% of the CAC's annual budget or \$216,312.

Facilities Carry Forward - The CAC's annual budget also includes \$102,912 or 7% carry forward from last fiscal year. These funds were utilized as matching grant funds for the Colony Theater renovations.

Contingency - This year the CAC also receives an infusion of additional revenue from Quality of Life funding. This funding is 25% of the 50% allocation of the 1% Resort Tax that is now being equally divided between North, Middle and South Beach, as well as cultural arts programs for the City. Of those funds, \$291,855 or 21% will be placed into a contingency line item to be used throughout the year as new cultural affairs programs are developed or enhanced.

It is recommended that the City Commission approve the budget as indicated.

Advisory Board Recommendation:

The Cultural Arts Council approved the proposed budget at their meeting of July 9, 2004.

Financial Information:

Source of Funds:		Amount	Account	Approved
 Finance Dept.	1	\$1,406,294.00	140.6080 Cultural Arts Council Fund	
	2			
	Total			

City Clerk's Office Legislative Tracking:

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Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM R7F
DATE 9-28-04



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 28, 2004

From: Jorge M. Gonzalez *JMG*
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE MIAMI BEACH CULTURAL ARTS COUNCIL'S FISCAL YEAR 2004/2005 BUDGET, IN THE AMOUNT OF \$1,406,294.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

FUNDING

Funding is available from the Cultural Arts Council's (CAC) budget for Fiscal Year 2004/2005.

ANALYSIS

The Cultural Arts Council's (CAC) mission is to develop, coordinate, and promote the visual and performing arts in Miami Beach for the enjoyment, education, cultural enrichment, and benefit of residents and visitors. In 1997, the nine-member volunteer board conducted town meetings with arts groups to evaluate their needs. It then developed a cultural arts master plan identifying programs to assist local arts groups: grants, marketing, facilities, revenue development, and advocacy/planning. The Mayor and City Commission adopted the master plan on June 3, 1998. Since that time the City has awarded approximately \$4 million in cultural arts grants, supporting thousands of performances, exhibits, and other cultural activities in Miami Beach. The CAC continually evaluates its programs and effectiveness based on comments from its constituent arts groups, advisers, grants panelists, community groups, elected officials, City administrators, and others. The positive economic impact of the City's cultural efforts is evident throughout the community as is its effect on our quality of life.

Quality of Life Revenue

The City Commission endorsed a proposal at their February 18, 2004 workshop that freezes the Quality of Life funding allocated to the three areas at the current level (2002 level) and any additional funds received in 2003 be allocated to the Tourism and Cultural Development Department (TCD) for cultural affairs. In essence, this divides the funding into quarters. The 50% allocation of the 1% Resort Tax shall be equally allocated to North Beach, Middle Beach, South Beach, and TCD, each receiving 25% of the collections. This commitment of funding for arts and cultural was done to provide a new permanent funding source that will sustain cultural programs long-term.

Cultural Arts Grants

The City Administration is recommending grants to 49 not-for-profit organizations for cultural events in Miami Beach between October 1, 2004 and September 30, 2005. The CAC's annual budget for grants is \$599,015 or 43%. This includes a \$50,000 matching grant to the VCA for cultural tourism grants that support cultural events with documented tourism benefits. The grant awards range from \$5,600 to \$25,000. A total of \$931,915 was requested by 55 grant applicants this year. A companion item is included in today's agenda that provides additional information on the grant process and the recommended awards.

This year's recommended grant awards of \$599,015 represents a 20% increase over FY 03/04 grant funds. The additional cultural grants funding increased the Panels' recommended awards by 40%, up to the Category cap or the cultural organization's requested award amounts. This is a significant increase for the cultural organizations and will prove to be invaluable in enhancing the cultural fabric of the community. With the exception of one applicant, the CAC has been praised for the manner in which this year's grant process was managed and for the professionalism of the panels.

Twenty-nine volunteers comprised of citizens and professionals in the various artistic disciplines were selected last April to review grant applications and make funding recommendations at public meetings in May and June. The panelists collectively volunteered hundreds of hours of their time reviewing the applications and attachments, working with the City's Cultural Affairs staff and, where possible, attending events. The panelists were informed, diverse, and dedicated. All panels were co-chaired by members of the CAC.

Marketing

This year, the CAC has recommended \$146,200, 10% of its annual budget, to be utilized to promote the City of Miami Beach worldwide as the region's preeminent cultural destination. A new marketing initiative, developed by the CAC's Marketing and Communications Task Force, will better promote the arts in our community and market the programs of the City's 49 constituent arts groups.

Endowment

From 1998 through 2001 the City contributed \$200,000 towards the CAC's endowment, 13% of its annual budget. In fiscal years 2001/2002 and 2002/2003, due to a decrease in funding sources, the City contributed \$160,000, 15% of the CAC's annual budget. Due to significant decreases in resort tax revenue and interest income, the City did not contribute to the CAC's endowment for 2003/2004. This year the CAC will contribute \$50,000 towards the endowment, 4% of its annual budget, which brings the endowment total up to \$960,000.

Administration

The CAC's annual budget also includes \$216,312 or 15% to be utilized for administrative and operating expenses. This includes salaries and benefits for two full-time employees, professional services, operating accounts supporting the CAC's programs, capital, and City internal service charges.

Carry forward

The CAC's annual budget also includes \$102,912 or 9% carry forward from last fiscal year. These funds were utilized as matching grant funds for the Colony Theater renovations.

Exhibit A

Miami Beach Cultural Arts Council Budget FY 2004-2005

Revenues

FY 2003-2004	Adopted	FY 2004-2005	Proposed	% of total
\$250,000	CAC interest	\$250,000	CAC interest	18%
360,000	GMCVB	324,000	GMCVB	23%
152,000	CMB resort taxes	152,000	CMB resort taxes	11%
123,638	Carry forward - facilities	102,912	Carry forward - facilities	7%
7,750	Carry forward - grants	0	Carry forward - grants	
0	Quality of Life Funds	577,382	Quality of Life Funds	41%
\$893,388	Total	\$1,406,294	Total	100%

Expenses

FY 2003-2004	Adopted	FY 2004-2005	Proposed	% of total
\$500,750	Cultural arts grants	\$500,750	Cultural arts grants ¹	36%
0	Additional grants	98,265	Additional grants	7%
91,790	Marketing	146,200	Marketing	10%
0	Endowment	50,000	Endowment	4%
177,210	Administration	216,312	Administration ²	15%
123,638	Carry forward	102,912	Carry forward - facilities ³	7%
0	Contingency	291,855	Contingency ⁴	21%
\$893,388	Total	\$1,406,294	Total	100%

Note 1- 49 Cultural arts grant awards for FY 2004/2005 recommended for
Commission approval on September 28, 2004.

Note 2- Administration includes the salaries of the Cultural Affairs Program Manager and Operations Manager,
City operating accounts supporting the Council's programs, professional services,
and City internal service charges

Salaries	\$115,376	(two full time staff positions)
Fringe benefits	18,354	(pension, health insurance, etc.)
Operating accounts	64,447	(supplies, mailings, printing, consultants)
Internal service charges	18,135	(property management, computers, etc.)
Total	\$216,312	

Note 3- Carry forward for facilities represents unspent funds for Colony Theater renovations.

Note 4- Represents increased Quality of Life funding

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE MIAMI BEACH CULTURAL ARTS COUNCIL'S FISCAL YEAR 2004/2005 BUDGET, IN THE AMOUNT OF \$1,406,294.

WHEREAS, the Miami Beach Cultural Arts Council (CAC) was established by the Mayor and City Commission on March 5, 1997; and

WHEREAS, the mission of the CAC is to develop, coordinate, and promote the visual and performing arts in the City of Miami Beach for the enjoyment, education, cultural enrichment and benefit of the residents of, and visitors to, Miami Beach; and

WHEREAS, the Mayor and City Commission adopted the Cultural Arts Master Plan on June 3, 1998, identifying the following program areas for the CAC: cultural arts grants; marketing; facilities; advocacy and planning; and revenue development; and

WHEREAS, pursuant to its enabling legislation, the CAC's budget for each fiscal year shall be approved by the Mayor and City Commission; and

WHEREAS, accordingly, the CAC recommends a \$1,406,294, budget allocation for the fiscal year 2004/2005 to continue implementation of its programs.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission approve the Miami Beach Cultural Arts Council's Fiscal Year 2004/2005 budget, in the amount of \$1,406,294.


PASSED AND ADOPTED THIS _____ DAY OF _____, 2004

ATTEST:

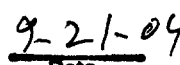
CITY CLERK

MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney



Date

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A resolution of the Mayor and City Commission of the City of Miami Beach, Florida approving and accepting the City Administration's recommendations, and awarding \$599,015 in said grants, for Fiscal Year 2004/2005, as identified in the attached Exhibit "A"; and authorizing the Mayor and City Clerk to execute said grant agreements, and further make the award of said grant monies subject to and contingent upon the approval of the Cultural Arts Council's budget for the Fiscal Year 2004/2005.

Issue:

Shall the City approve and accept the grant award recommendations and award \$599,015 said Cultural Arts Grants for Fiscal Year 2004/2005.

Item Summary/Recommendation:

From March 15 through to June 29, 2004, the CAC conducted an application and review process for its Fiscal Year 2004/2005 Cultural Arts Grant Programs. This process included 29 volunteer grants panelists who reflected the community's diversity, to evaluate 55 applications, requesting a total of \$931,915. The grant panels' recommendations were presented to the CAC at their July 9 meeting, where the CAC unanimously supported them.

Adopt the resolution and approve, accept, and award the Fiscal Year 2004/2005 Cultural Arts Council grant recommendations in the amount of \$599,015.

Advisory Board Recommendation:

The Cultural Arts Council reviewed the grant panel recommendations at their July 9 meeting and supports the recommended awards as reflected in the second column of Exhibit "A".

Financial Information:

Amount to be expended:

Source of Funds:

Finance Dept.

	Amount	Account	Approved
1	\$599,015	140.6080.000349	
2		Cultural Arts Council	
3			
4			
Total			

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM R7G
DATE 9-28-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 28, 2004

From: Jorge M. Gonzalez *JMG*
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA APPROVING AND ACCEPTING THE RECOMMENDATIONS, AND AWARDED \$599,015 IN SAID GRANTS, FOR FISCAL YEAR 2004/2005, AS IDENTIFIED IN THE ATTACHED EXHIBIT "A"; AND AUTHORIZING THE CITY MANAGER TO APPROVE THE CULTURAL ARTS COUNCIL'S FUNDING RECOMMENDATIONS; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID GRANT AGREEMENTS, AND MAKE THE AWARD OF SAID GRANT MONIES SUBJECT TO AND CONTINGENT UPON THE APPROVAL OF THE CULTURAL ARTS COUNCIL'S BUDGET FOR THE FISCAL YEAR 2004/2005.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

FUNDING

Funding is available from the Cultural Arts Council's (CAC) budget for Fiscal Year 2004/2005.

ANALYSIS

The Mayor and City Commission passed an Ordinance in 1997 establishing the Cultural Arts Council to support the visual and performing arts in Miami Beach. The cultural arts grants program, a central component of the Council's master plan, provides funding to not-for-profits arts organizations through a competitive application and review process. This funding annually results in hundreds of performances, exhibits, and other cultural events throughout the City of Miami Beach.

In 1998, a competitive process was established to review grant applications and assess the cultural community's needs. The grant categories and their objectives are listed below.

Cultural Anchors – To support the preeminent arts institutions physically based in Miami Beach, whose primary mission is year-round artistic and cultural programming that contributes significantly to the cultural life of the City of Miami Beach. The seven groups

are ArtCenter/South Florida, Bass Museum of Art, Jewish Museum of Florida, Miami City Ballet, Miami Design Preservation League, New World Symphony, and Wolfsonian-FIU.

Dance – To support arts groups whose primary mission is to create and present dance productions.

Music – To support arts groups whose primary mission is to create and present music productions.

Theater and Film – To support arts groups whose primary mission is to create and present theater and film productions.

Arts and Cultural Education - To support arts groups whose primary mission is provide support for rich and challenging arts learning opportunities in schools and communities. Grants may be used for workshops, consultants, in-service training, and other projects designed to increase skills and awareness of arts education.

Cultural Presenters - To support arts groups whose primary mission is to produce and present cultural and artistic productions.

Cultural Tourism and Festivals (CAC & VCA funding split) - To support major cultural arts performances, festivals, and events which attract a significant number of tourists to the City of Miami Beach.

This year, the grant programs were divided into two application periods and all grant applications, guidelines, and instructions were offered in English, Spanish and Creole. Applications were made available through the Department of Tourism and Cultural Development and electronically on Artsbeach.com. Additionally, the grant programs were publicized in English and Spanish media and via electronic mail.

Between March 29 through April 9 (Cycle I) and May 17 through May 26 (Cycle II), Cultural Affairs staff met individually with all applicants to determine eligibility, program category, and offer guidance regarding application preparation. Final grant applications for the two program cycles were due on April 15 and June 3 respectively. The application process yielded 55 viable applications for cultural programming in 2004/2005, with requests totaling \$931,915 inclusive of the VCA/CAC Cultural Tourism and Festivals Program.

The CAC grants funding was allocated for each program as follows:

Cultural Anchors	\$175,000
Dance	\$ 78,240
Music	\$ 49,000
Theater & Film	\$ 59,200
Arts & Cultural Education	\$105,175
Cultural Presenters	\$ 82,400
Cultural Tourism & Festivals	\$ <u>50,000</u> (VCA/CAC split \$100,000)

Total CAC funds: **\$599,015**

In April 2004, Cultural Affairs staff developed seven grant program panels with 29 volunteer panelists (Exhibit B) comprised of citizens and professionals in the various artistic disciplines. Cultural Affairs staff led grant panel orientation meetings for all program panelists. CAC members co-chaired the panels, which convened at public meetings in City Hall between May 11 and June 29.

The grants panels reviewed applications in alphabetical order. Applicants were allowed to address specific questions from the panelists. The applications were scored using evaluation forms based on criteria listed in the application, then averaged, dropping the highest and lowest score. The applications were ranked and the panels made their funding recommendations.

Total CAC grants funding of \$599,015, represents a 20% increase over FY 03/04 grant funds. This additional grants funding increased the Panels' recommended awards by 40%, up to the Category cap or the cultural organizations' requested award amounts. This is a significant increase for the cultural organizations and will prove to be invaluable in enhancing the cultural fabric of the community. With the exception of one applicant, the CAC has been praised for the manner in which this year's grant process was managed and for the professionalism of the panels.

The CAC also allocated a matching grant of \$50,000 to the VCA/CAC Cultural Tourism and Festivals Program. Similar to the CAC grants panel process, the VCA and CAC jointly convened a Cultural Tourism and Festivals Panel on June 14 to review and recommend funding for this category. The VCA and the CAC each contribute \$50,000 for a total category funding of \$100,000. The Cultural Tourism and Festivals Program awards totaled \$100,000. Inclusive of the VCA grant of \$50,000, the total grants funding award is \$649,015.

CONCLUSION

The Mayor and City Commission should adopt the City Administration's recommendation as detailed above and as reflected in the third column of Exhibit "A".

JMG/CMC/MAS/RB

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CAC FY 04/05 Recommended Grant Awards
Exhibit "A"

	FY 04/05 Applicant Requests	FY 04/05 Recommended Awards
Theater and Film		
1 Ctr for Advancement of Jewish Education - Film Festival	\$ 20,000	\$ 5,600
2 Entertainment Industry Incubator - Film Contest	\$ 10,000	\$ 9,800
3 Fantasy Theater Factory	\$ 20,000	\$ 16,800
4 Ft. Lauderdale Children's Theater	\$ 20,000	\$ -
5 Gold Coast Theater	\$ 20,000	\$ 7,000
6 Miami Beach Film Society	\$ 10,000	\$ 10,000
7 South Beach Gay Men's Chorus - Musical Theater	\$ 10,000	\$ 10,000
Total	\$ 110,000	\$ 59,200
Dance		
1 Black Door Dance Company	\$ 20,000	\$ 7,000
2 Dance Arts Foundation - Isadora Duncan Ensemble	\$ 10,000	\$ 10,000
3 Dance Now! Ensemble	\$ 20,000	\$ 10,000
4 Freddie Bratcher Dance Company	\$ 10,000	\$ 7,000
5 Miami Contemporary Dance Company	\$ 9,340	\$ 7,000
6 Maximum Dance Company	\$ 20,000	\$ 12,600
7 Miami Dance Machine	\$ 10,000	\$ -
8 Mid-Eastern Dance Exchange	\$ 20,000	\$ 7,000
9 Momentum Dance Company	\$ 20,000	\$ 17,640
Total	\$ 139,340	\$ 78,240
Music		
1 Florida Grand Opera	\$ 20,000	\$ 9,800
2 Miami Symphony Orchestra	\$ 20,000	\$ 9,800
3 Miami Choral Society	\$ 15,000	\$ 9,800
4 Patrons of Exceptional Artists - Int'l. Piano Festival	\$ 20,000	\$ 9,800
5 South Beach Chamber Ensemble	\$ 10,000	\$ 9,800
Total	\$ 85,000	\$ 49,000
Cultural Anchors		
1 ArtCenter/South Florida	\$ 25,000	\$ 25,000
2 Bass Museum of Art	\$ 25,000	\$ 25,000
3 Jewish Museum of Florida	\$ 25,000	\$ 25,000
4 Miami City Ballet	\$ 25,000	\$ 25,000
5 Miami Design Preservation League	\$ 25,000	\$ 25,000
6 New World Symphony	\$ 25,000	\$ 25,000
7 Wolfsonian - FIU	\$ 25,000	\$ 25,000
Total	\$175,000	\$ 175,000
*Cultural Tourism (VCA & CAC each fund 50,000)		
1 Art Deco Weekend, Inc.	\$ 20,000	\$ 15,000
2 Brazilian Film Festival of Miami	\$ 20,000	\$ 15,000
3 International Ballet Festival of Miami	\$ 20,000	\$ 15,000
4 Miami Gay & Lesbian Film Festival	\$ 20,000	\$ 20,000
5 Miami International Film Festival - MDC	\$ 20,000	\$ 20,000
6 Miami Hip Hop Exchange - Miami Light Project	\$ 20,000	\$ 15,000
	\$ 120,000	\$ 100,000
*Total CAC Funding:		\$ 50,000
Arts & Cultural Education		
1 Arts for Learning/Miami	\$ 20,000	\$ 15,400
2 Behind the Curtain, Inc.	\$ 10,000	\$ -
3 Center for Folk and Community Art	\$ 10,000	\$ 10,000
4 Clarita Filgueiras Flamenco Puro	\$ 10,000	\$ -
5 Greater Miami Youth Symphony	\$ 5,575	\$ 5,575
6 Holocaust Memorial	\$ 20,000	\$ 8,400
7 Louis Wolfson II Florida Moving Image Archive	\$ 20,000	\$ 8,400
8 Miami Beach Community Development Corp.	\$ 20,000	\$ -
9 Miami Beach Garden Conservancy	\$ 20,000	\$ 15,400
10 Miami Beach Hispanic Community Center	\$ 9,000	\$ 8,400
11 MIAMIntelligence	\$ 10,000	\$ 8,400
12 Story Theater	\$ 20,000	\$ 12,600
13 The Education Fund	\$ 20,000	\$ 12,600
Total	\$ 194,575	\$ 105,175
Cultural Presenters		
1 Arts at St. John's	\$ 10,000	\$ 8,400
2 Center for Emerging Art	\$ 10,000	\$ -
3 Concert Association of Florida	\$ 20,000	\$ 15,400
4 Creative Arts Enterprises	\$ 8,000	\$ 8,000
5 Florida Dance Association	\$ 20,000	\$ 19,600
6 Rhythm Foundation	\$ 10,000	\$ 10,000
7 South Florida Composers Alliance	\$ 10,000	\$ 5,600
8 Tigertail Productions	\$ 20,000	\$ 15,400
Total	\$ 108,000	\$ 82,400
All Totals:	\$ 931,915	\$ 599,015

49 organizations recommended for awards

**Cultural Arts Council 2004/2005 Grant Programs' Panelists
Exhibit "B"**

Dance

Roymi Membiela, Co-Chair
Lidia Resnick, Co-Chair
Gary Lund
Lisa Carreno
Jennifer Gibbs
Sheila Austin
Danny Lewis

Music

Nancy Liebman, Co-Chair
Liliam Lopez, Co-Chair
Neil Crilly
David Alt
Juan Carlos Espanosa
Mark Rosenblum
Michael Hughes

Theater & Film

Jeff Abbaticchio, Co-Chair
Merle Weiss, Co-Chair
Gene Shulzberger
Bruce Leslie
Adrianna Perez
Ralph Granado
Duba Leibell

Cultural Anchors

Ada Llerandi, Co-Chair
Ricky Arriola, Co-Chair
Brandi Reddick
Eddie Padea
Tom Thielen
Addy Castellanos

Arts & Cultural Education

Alfredo Richard, Co-Chair
Michael McManus, Co-Chair
Chris Schram
Eric Haukin
Rosie Gordon Wallace
Paul Thomson

Cultural Presenters

Ada Llerandi, Co-Chair
Jeff Abbaticchio, Co-Chair
Margarita Lopez
Glen Kauffold
Jennifer Gibbs
Paul Woerhle
Laura Calzolari

Cultural Tourism (CAC and VCA)

Elsie Sterling Howard, VCA, Co-Chair
Alfredo Richard, CAC, Co-Chair
Jeff Abbaticchio, CAC
Steve Haas, VCA
Sabrina Anico, Community Member

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND ACCEPTING THE CITY MANAGER'S RECOMMENDATIONS, AND AWARDING \$599,015 IN CULTURAL ARTS COUNCIL (CAC) GRANTS FOR FISCAL YEAR 2004/2005, AS IDENTIFIED IN THE ATTACHED EXHIBIT "A"; FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID GRANT AGREEMENTS; AND MAKING THE AWARD OF SAID GRANTS SUBJECT TO AND CONTINGENT UPON THE APPROVAL OF THE CAC'S BUDGET FOR FISCAL YEAR 2004/2005.

WHEREAS, the Miami Beach Cultural Arts Council (CAC) was created to develop, coordinate, and promote the performing and visual arts of the City of Miami Beach for the enjoyment, education, cultural enrichment, and benefit of the residents of and visitors to the City; and

WHEREAS, from March 15 to June 29, 2004, the CAC conducted an application and review process for its Fiscal Year 2004/2005 Cultural Arts Grant Programs; and

WHEREAS, the Cultural Affairs staff selected 29 volunteer grants panelists, reflecting the community's diversity, to evaluate 55 applications, requesting a total of \$931,015; and

WHEREAS, the grant panels evaluated the 55 applications and recommended a total of \$599,015, in cultural grant awards; and

WHEREAS, the CAC reviewed the recommendations of the grants panels and unanimously supported the recommended cultural grant awards for Fiscal Year 2004/2005, all as more specifically identified in Exhibit "A", attached hereto; and

WHEREAS, the City Manager concurs with the recommendation of the CAC, and would recommend that the Mayor and City Commission approve the cultural arts grant awards for Fiscal Year 2004/2005, all as specifically identified in Exhibit "A" attached hereto.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission approve and accept the City Manager's recommendations and award \$599,015 in CAC cultural arts grants for Fiscal Year 2004/2005, as identified in the attached Exhibit "A"; further authorize the Mayor and City Clerk to execute Grant Agreements; and make the award of said grants subject to and contingent upon the approval of the CAC's budget for Fiscal Year 2004/2005.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2004

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

W. H. Wells 9-22-04
City Attorney Date

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**

**Condensed Title:**

A resolution of the Mayor and City Commission of the City of Miami Beach, Florida, adopting and approving the Miami Beach Visitor and Convention Authority (VCA) Fiscal Year 2004/2005 budget in the amount of \$1,355,092.

Issue:

To approve the Miami Beach Visitor and Convention Authority (VCA) FY 2004/2005 budget in the amount of \$1,355,092.


Item Summary/Recommendation:

Approve the budget as indicated.

Advisory Board Recommendation:

N/A


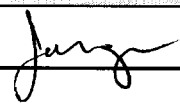
Financial Information:

Source of Funds:  Finance Dept.		Amount	Account	Approved
	1	\$1,355,092		
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Christina M. Cuervo/Grisette Roque

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

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AGENDA ITEM

R7H

DATE

9-28-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 28, 2004

From: Jorge M. Gonzalez
City Manager

Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING AND APPROVING THE MIAMI BEACH VISITOR AND CONVENTION AUTHORITY (VCA) FY 2004/2005 BUDGET IN THE AMOUNT OF \$ 1,355,092.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution

ANALYSIS

The Miami Beach Visitor and Convention Authority (VCA) was created and exists pursuant to Chapter 67-930 of the Laws of Florida and Sections 102-246 through, and including 102-254 of the Code of the City of Miami Beach. The VCA is a seven-member authority. Each member is appointed by the City of Miami Beach Commission, with the goal of encouraging, developing and promoting the image of Miami Beach locally, nationally and internationally as a vibrant community and tourist destination. To this end, the VCA strategically focuses its funding investments in a balanced manner, fostering outstanding existing programs, stimulating new activities, and encouraging partnerships. The VCA is committed to a careful, long-term plan for allocation of resources to build the uniqueness of Miami Beach as one of the world's greatest communities and tourism destinations.

FY 2003/2004 Review/Tourism Advancement Program

The VCA Tourism Advancement Program (TAP) helps promote Miami Beach as a sophisticated tourist destination through the allocation of grant funds to events or programs of work that enhance tourist attractiveness. In fiscal year 2003/2004, the program allocated funds in one of seven categories, including: Tourism Partnerships, Special Events Recurring, Major One Time Event, Cultural Tourism, Development Opportunities, Festival Season and the newly created Special Projects Category.

The TAP awarded \$769,937 in fiscal year 2003/2004, compared to \$796,290 in fiscal year 2002/2003. The decrease in awards within the TAP reflected a lack of Development Opportunity applications. The TAP funds helped maintain worthwhile tourism initiatives such as the South Beach Wine & Food Festival, The Miami Beach Sports & Fitness Festival, and supported new events on Miami Beach, such as the Clio Awards Festival, American Black Film Festival and Art Basel Miami Beach.

Request for Proposals

The VCA and the GMCVB are partnering in FY 2004/2005 for the Summer Event Producers Request for Proposal (RFP). Each organization will provide \$100,000 towards the RFP. The objective of the RFP is to offset the cost of programs and events taking place in the City of Miami Beach during the months of July and August. The RFP will facilitate the production of proven multi-day quality performances undertaken by recognized event producers, to take place in Miami Beach for the first time. This will encourage current and future tourism to Miami Beach and this region, as it enhances its image as a sophisticated tourist destination with outstanding visitor services, events.

The Summer Event Producer RFP grant category allows organizations with a new or first-time event or program of work, that has the potential to become recurring and can generate an extraordinary national and/or international tourism return for Miami Beach between the months of July and August, to apply for this joint funding.

Administration and Overhead

The VCA's administrative and overhead costs are budgeted at \$141,000 for the fiscal year 2004/2005. The \$141,000 administration and overhead allocation reflects an approximate 7% increase from fiscal year 2003/2004. The 7% increase is attributed to the rising cost of insurance coverage, a newly established retirement plan, medical insurance and a standard cost of living increase. This figure is also inclusive of the office space and equipment, and a fully staffed VCA administrative office.

2004/2005 Tourism Advancement Program

The VCA has budgeted \$902,000 for fiscal year 2004/2005 for its Tourism Advancement Program. This grant funding reflects an approximate 34% increase or, a total of \$224,512 from fiscal year 2003/2004. The increase in funds is reflective of the enhancement of the Special Projects category. The monies will be awarded in our Tourism Advancement Program in seven categories, including: Tourism Partnerships, Special Events (Recurring), Special Events (New or One-Time), Development Opportunities, Cultural Tourism, Festival Season and Special Projects. The grant application was again reviewed and revised in 2004/2005. New questions about the economic impact of the program, such as the various aspects of the tourism directed marketing plans, and how the numbers of hotel room nights were calculated, were enumerated. The final report and contract were also updated. The final report now includes quantitative and qualitative measures of event success. The contracts were revised to be more readable; initials are required after every clause to ensure that it is read and understood by the applicant.

In addition, the application now requires written confirmation of hotel room blocks, and letters of media confirmation as application attachments.

The VCA website was updated for the 2004/2005 fiscal year. The TAP applications and guidelines can now be accessed in several formats, including Microsoft Word and PDF at www.miamibeachvca.com. Upon approval by the board, VCA meeting minutes are made available on the web.

Destination Marketing

The destination marketing allocation reflects a 0% increase from fiscal year 2003/2004. This allocation includes the VCA portion of production costs for the updated Miami Beach Civic Pride Banners. This resident-focused marketing/PR campaign emphasizes tourism's benefits to our community, including the need to celebrate our community's diversity and re-install the importance of hospitality towards our visitors.

Research and Development

In fiscal year 2004/2005 The VCA expects to support new initiatives in FY 2004/2005 at the request of partners and community and resort leaders. Strategic plans, goals and initiatives will be developed after consulting with all partners and as the result of on-going communications.

Initiatives

The VCA expects to support new initiatives in fiscal year 2004/2005 at the request of partners and community and resort leaders. Strategic plans, goals and initiatives will be developed after consulting with all partners and as the result of on-going communications. Some of these initiatives include the implementation of summer long events on Miami Beach, including – but not limited to – supporting a food and wine festival, television origination projects and a Miami Beach based film festival. The VCA is also taking a leadership role in encouraging events of mass appeal to take place in Miami Beach. Strategic goals and initiative will be developed through consultation with partners and continued outreach.

Projected Cash Flow Reserve

The VCA has budgeted \$30,000 in the cash flow reserve in fiscal year 2004/2005. The \$30,000 cash flow reserve reflects a 0% increase from fiscal year 2003/2004. The City of Miami Beach allots resort tax payments to the VCA a month after its collection. Therefore the VCA has built in a \$30,000 projected cash flow reserve to its budget to ensure that all grants awarded will have the necessary funds to be reimbursed upon proper request and documentation.

Conclusion

It is recommended that the Mayor and Commission should adopt the 2004/2005 budget in the amount of \$1,355,092 as set forth in Exhibit A.


JMG/CMC/GR

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"EXHIBIT A"

**Miami Beach Visitor and Convention Authority
FY 04/05 Budget**

	FY 03/04 Approved Budget	FY 04/05 Proposed Budget
<u>Revenues</u>		
Estimated Rollover	\$ 0	\$ 183,460
2% Resort Tax Revenue	1,025,088	1,171,632
Total Revenue	\$ 1,025,088	\$ 1,355,092
<u>Expenditures</u>		
Administration	\$ 132,000	\$ 141,000
<u>Tourism Advancement Program</u>		
Tourism Partnerships	75,000	76,000
Cultural Tourism	50,000	50,000
Major One Time	105,000	140,000
Special Events Recurring	181,588	176,600
Development Opportunities	91,500	60,000
Special Projects	75,000	300,000
Festival Season	100,000	100,000
<u>Strategic Initiatives</u>		
RFP	50,000	100,000
Destination Marketing	100,000	100,000
R&D	35,000	40,000
Initiatives	0	41,492
Cash Flow	30,000	30,000
Total Expenditures	\$ 1,025,088	\$ 1,355,092

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING AND APPROVING THE MIAMI BEACH VISITOR AND CONVENTION AUTHORITY (VCA) FISCAL YEAR 2004/2005 BUDGET, IN THE AMOUNT OF \$ 1,355,092.

WHEREAS, the Miami Beach Visitor and Convention Authority (VCA) was created pursuant to Chapter 67-930 of the Laws of Florida, and Sections 102-246 through 102-254 of the City of Miami Beach Code; and

WHEREAS, the VCA's mission is to support, maintain and develop quality programs, which generate, satisfy and enhance the year-round tourist attractiveness of Miami Beach; and

WHEREAS, the VCA strategically focuses its funding investments in a balanced manner, fostering outstanding existing programs, stimulating new activities, and encouraging partnerships; and

WHEREAS, the VCA is committed to a careful, long-term plan for allocation of resources to build the uniqueness of Miami Beach as one of the world's greatest communities and tourist destinations; and

WHEREAS, pursuant to its enabling legislation, the VCA's budget for each fiscal year shall be approved by the Mayor and Commission; and

WHEREAS, accordingly, the VCA recommends approval of the proposed budget for Fiscal Year 2004/2005, in the amount of \$ 1,355,092, to continue implementation of its programs.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission adopt the Miami Beach Visitor and Convention Authority's Fiscal Year 2004/2005 budget, in the amount of \$ 1,355,092.


PASSED AND ADOPTED THIS _____ DAY OF _____, 2004.


ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney  9-13-04
Date

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution appropriating an additional \$100,000 in transit surtax (PTP) funds for FY 2003-04 Shuttle Operating Budget, in order to reflect the 20% allocation required by County Ordinance for transit projects, out of the projected \$2.5 million in PTP receipts by Miami Beach during the fiscal year; and reimbursing the Parking Fund \$100,000 of the \$1.1 million appropriated in the same fiscal year for shuttle operating purposes.

Issue:

Shall the City appropriate additional PTP funds as required by County Ordinance?

Item Summary/Recommendation:

Resolution No. 2003-25355, dated September 18, 2003, appropriated \$400,000 in PTP (transit surtax) as part of the adopted funding sources for the \$2.336 million FY 2003-04 Shuttle Operating Budget. The Miami Beach share of the PTP proceeds is expected to exceed initial projections for FY 2003-04. Miami Beach is due to receive \$2.5 million, 20% of which is required to be utilized for local transit projects. If the City does not appropriate the additional \$100,000, as required by County Ordinance, such funds will have to be returned to the County for redistribution among the participating municipalities.

The requested \$100,000 appropriation will be utilized to reimburse the Parking Fund for a portion of the \$1.1 million appropriated and transferred to the FY 2003-04 Shuttle Budget by Resolution No. 2003-25354, dated September 18, 2003.

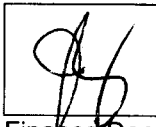
There is a three-month lag between PTP collection and proceeds distribution to participating municipalities. September 2004 collections will be received in Miami Beach by the end of December 2004.

The Administration recommends approval of the Resolution.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account	Approved
 Finance Dept.	1	\$100,000	187.8000.312910 FY 04 Transit Surtax	
	2			
	3			
	4			
	Total	\$100,000		

City Clerk's Office Legislative Tracking:

Robert Halfhill

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

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AGENDA ITEM

87I

DATE

9-28-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 28, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROPRIATING AN ADDITIONAL \$100,000 IN COUNTY TRANSIT SURTAX FUNDS FOR THE FY 2003-04 SHUTTLE OPERATING BUDGET; SUCH ADDITIONAL FUNDS COMING FROM THE ESTIMATED \$2.5 MILLION MIAMI BEACH SHARE OF THE TRANSIT SURTAX FUNDS COLLECTED DURING FY 2003-04, TWENTY PERCENT OF WHICH REQUIRED TO BE UTILIZED FOR LOCAL TRANSIT PROJECTS; AND FURTHER REIMBURSING THE PARKING FUND \$100,000 OF THE \$1.1 MILLION APPROPRIATED BY RESOLUTION NO. 2003-25354, DATED SEPTEMBER 18, 2003, FOR SHUTTLE OPERATING PURPOSES.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

Resolution No. 2003-25355, dated September 18, 2003, appropriated \$400,000 in Transit Surtax as part of the funding sources for the adopted \$2.336 million FY 2003-04 Shuttle Operating Budget. The actual Miami Beach share of the Municipal Component of the Transit Surtax proceeds has exceeded projections for FY 2003-04. Miami Beach is due to receive \$2.5 million, 20% of which is required to be utilized for local transit projects. If the City does not appropriate the additional \$100,000, as required by County Ordinance, such funds will be returned to the County for redistribution.

The requested \$100,000 appropriation will be utilized to reimburse the Parking Fund for a portion of the \$1.1 million appropriated and transferred to the FY 2003-04 Shuttle Budget by Resolution No. 2003-25354, dated September 18, 2003.

An update of Transit Surtax funds proceeds received and appropriated by the City for the period of January 2003 through September 2004 is attached hereto for your review. Note that there is a three-month lag between surtax collection and proceeds distribution to participating municipalities. September 2004 collections will be received in Miami Beach by the end of December 2004.

The Administration recommends approval of the Resolution.

JG/RM/FB/RH/AJ

Attachment: PTP Status Report (transit surtax)

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CITY OF MIAMI BEACH REPORT

PTP STATUS REPORT (Funds Received and Appropriated to Date)

Collections began January 1, 2003

Municipal Surtax Proceeds deposited in City Revenue Account No. 187.8000.312910

Updated on: 8/27/2004

PTP FUNDS RECEIVED BY CITY TO DATE

Collection Period	Amount Received	Date Received
FY 2002-03		
Jan-May '03	\$ 869,477	9/1/2003
June+adjtms	252,479	10/1/2003
July	175,877	11/7/2003
August	178,915	12/1/2003
September	209,331	1/21/2004
2003 Totals:	\$ 1,686,079	

Projected 03-04 MB Receipts:

FY 2003-04		
Oct. 2003	\$ 184,597	2/23/2004
November	195,302	3/8/2004
December	280,743	4/8/2004
Jan. 2004	184,412	5/3/2004
February	199,764	6/1/2004
March	262,428	7/6/2004
April	192,636	7/29/2004
May	200,231	8/27/2002
June		Sep-04
July	Projected:	Oct-04
August	799,887	Nov-04
September		Dec-04
2004 Totals:	\$ 2,500,000	

TO DATE TOTAL: \$ 4,186,079

PTP FUND APPROPRIATIONS BY CITY TO DATE

Appropriations made by City	Appropriation Amount	Resolution No.	Resolution Date	PTP Fund Balance by FY
FY 2002-03 Appropriations:				
EW Operating Budget	\$ 360,000	2003-24325	9/10/2003	\$ 1,686,079
HDR Contract-ERTO	159,957	2003-25374	10/15/2003	1,326,079
Washington Ave. Project *	1,166,122	2003-25380	10/15/2003	1,166,122
				-
	\$ 1,686,079			

FY 2003-04 PTP Funds received TO DATE:

FY 2003-04 Appropriations to date:				
EW Operating Budget 03-04	400,000	2003-25355	9/18/2003	1,300,113
Washington Ave. Project *	445,433	2003-25380	11/2/2004	854,680
BODR-NB Conn. Bike/Ped.Proj.	80,000	2004-25629	7/7/2004	
BODR-Dade/M. Beach Bike/Ped	120,000	"	"	
Resurfacing of Ocean Drive	350,000	"	"	
Resurfacing of Espanola Way	400,000	"	"	
Resurfacing of 17th Street	400,000	"	"	
Technical Assistance to Transp	30,000	"	"	
Addl. EW Budget 2003-04	100,000	Proposed for	9/28/2004	
> Addl. funds to be appropriated for roadway projects, prior to December 31, 2004				
	174,567			
	\$ 2,500,000			

Total Approps. To Date: \$ 4,186,079

Miami-Dade County Estimated Municipal Transportation Surtax Funds Distribution

Projected for FY04

Amount*

\$ 156,689,000

Jurisdiction	Population Apr-02	% Population	20% \$ 31,337,800	20% Transit Share	80% Transportation Share
Aventura	26,142	2.353%	\$737,362	147,472	589,890
Bal Harbour Village	3,309	0.298%	\$93,334	18,667	74,667
Bay Harbor Islands	5,118	0.461%	\$144,358	28,872	115,487
Biscayne Park	3,274	0.295%	\$92,347	18,469	73,877
Coral Gables	42,743	3.847%	\$1,205,610	241,122	964,488
El Portal	2,522	0.227%	\$71,136	14,227	56,908
Florida City	8,113	0.730%	\$228,836	45,767	183,068
Golden Beach	924	0.083%	\$26,062	5,212	20,850
Hialeah	231,270	20.816%	\$6,523,208	1,304,642	5,218,567
Hialeah Gardens	19,725	1.775%	\$556,364	111,273	445,091
Homestead	32,811	2.953%	\$925,468	185,094	740,374
Key Biscayne	10,698	0.963%	\$301,748	60,350	241,398
Indian Creek Village	33	0.003%	\$931	186	745
Medley	1,118	0.101%	\$31,534	6,307	25,227
Miami	364,389	32.797%	\$10,277,966	2,055,593	8,222,373
Miami Beach	88,972	8.008%	\$2,509,547	501,909	2,007,637
Miami Lakes	24,291	2.186%	\$685,153	137,031	548,122
Miami Shores	10,430	0.939%	\$294,189	58,838	235,351
Miami Springs	13,706	1.234%	\$386,592	77,318	309,273
North Bay Village	6,689	0.602%	\$188,670	37,734	150,936
North Miami	59,996	5.400%	\$1,692,249	338,450	1,353,799
North Miami Beach	42,178	3.796%	\$1,189,674	237,935	951,739
Opa-Locka	15,361	1.383%	\$433,273	86,655	346,618
Palmetto Bay	24,253	2.183%	\$684,081	136,816	547,265
Pinecrest	19,078	1.717%	\$538,115	107,623	430,492
South Miami	10,759	0.968%	\$303,469	60,694	242,775
Sunny Isles Beach	15,477	1.393%	\$436,545	87,309	349,236
Surfside	5,061	0.456%	\$142,751	28,550	114,201
Sweetwater	14,260	1.283%	\$402,218	80,444	321,774
Virginia Gardens	2,353	0.212%	\$66,369	13,274	53,095
West Miami	5,979	0.538%	\$168,644	33,729	134,915
Total Municipal Participation	1,111,032	100.000%	\$31,337,800	6,267,560	25,070,240
Unincorporated	1,191,981				
Total Miami-Dade	2,303,013				

* Estimate based on PHT, OSBM and OCITT coordinated projections.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROPRIATING AN ADDITIONAL \$100,000 IN MIAMI-DADE COUNTY TRANSIT SURTAX FUNDS FOR THE FISCAL YEAR (FY) 2003-04 ELECTROWAVE SHUTTLE (CURRENTLY REFERRED TO AS "THE LOCAL SHUTTLE") OPERATING BUDGET; SUCH ADDITIONAL FUNDS COMING FROM THE ESTIMATED \$2.5 MILLION MIAMI BEACH SHARE OF MIAMI-DADE TRANSIT SURTAX COLLECTIONS DURING FY 2003-04, TWENTY PERCENT OF WHICH IS REQUIRED TO BE UTILIZED FOR LOCAL TRANSIT PROJECTS, EACH AND EVERY YEAR; AND FURTHER REIMBURSING THE PARKING FUND \$100,000 OF THE \$1.1 MILLION APPROPRIATED FOR FY 2003-04 SHUTTLE OPERATING PURPOSES, BY RESOLUTION NO. 2003-25354, DATED SEPTEMBER 18, 2003.

WHEREAS, Resolution No. 2003-25355, dated September 18, 2003, appropriated \$400,000 in Miami-Dade County Transit Surtax as part of the funding sources for the adopted \$2.336 million Fiscal Year (FY) 2003-04 Electrowave Shuttle (now referred to as "The Local Shuttle") Operating Budget; and

WHEREAS, the actual Miami Beach share of the Miami-Dade Municipal Component of the Transit Surtax proceeds is estimated at \$2.5 million, which exceeds projections for FY 2003-04; and

WHEREAS, Miami-Dade County, by Ordinance, requires that 20% (or \$500,000) of these annual proceeds, be utilized for local transit projects, during the same fiscal year such funds are received by the City; and

WHEREAS, an additional \$100,000 of the Miami Beach share of Transit Surtax proceeds need to be appropriated in order to meet the \$500,000 required to be utilized for the Shuttle service, during FY, 2003-04; and

WHEREAS, if the City does not appropriate the additional \$100,000 as required, such funds will have to be returned to the County for redistribution; and

WHEREAS, the \$100,000 will be utilized to reimburse the Parking Fund for a portion of the \$1.1 million appropriated for FY 2003-04 Shuttle operating purposes, by Resolution No. 2003-25354, dated September 18, 2003.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby appropriate an additional \$100,000 in Miami-Dade County Transit Surtax funds for the Fiscal Year (FY) 2003-04 Electrowave Shuttle (currently referred to as "The Local Shuttle") Operating Budget; such additional funds coming from the estimated \$2.5 million Miami Beach share of Miami-Dade Transit Surtax collections during FY 2003-04, twenty percent of which is required to be utilized for local transit projects; and further reimbursing the Parking Fund \$100,000 of the \$1.1 million appropriated for FY 2003-04 Shuttle operating purposes, by Resolution No. 2003-25354, dated September 18, 2003.

PASSED AND ADOPTED this _____ day of _____, 2004.


ATTEST:

CITY CLERK

MAYOR

T:\AGENDA\2004\Sep2804\Regular\Additional PTP Funds for Shuttle-Reso.doc

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**


City Attorney
9-22-04
Date

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution authorizing the transfer of \$1 million from the FY 2004-05 Parking Fund Budget to the FY 2004-05 Local Shuttle (previously known as the Electrowave Shuttle) Operating Budget; subject to determination by the Administration that the Parking Fund has met all debt covenants for FY 2003-04.

Issue:

Shall the City Commission transfer FY 2004-05 Parking funds for shuttle operations?

Item Summary/Recommendation:

As in previous years, Parking funds are being proposed to help fund the FY 2004-05 Local Shuttle Operating Budget, at \$1 million, or 48.57% of the total budget. Parking Fund contributions to four previous budgets were respectively \$1.05 million in 2000-01, \$1.284 million in 2001-02, \$1.24 million in 2002-03, and \$1.1 million in 2003-04. The Parking Fund transfer is part of the total budget of \$2,058,935, for FY 2004-05 and is \$160,365 (or 11.86%) less than last year's, and it also includes Transit Surtax, FDOT/JPA, and Concurrency Mitigation/South Beach funds, plus projected revenues from fare collections.

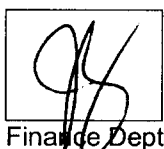
Negotiations between the City and the County have yet to produce a Miami-Dade Transit (MDT) proposal to assume full responsibility over the local shuttle service. Therefore, it is essential that a budget be approved for FY 2004-05 shuttle operations in order to maintain the circulator services which are fully utilized and appreciated by South Beach residents, employees, shoppers, tourists and visitors. Due to the mutually beneficial connection between the shuttle service and park-and-ride programs, the Administration supports the Parking Fund as the most appropriate source of local funds for shuttle operations, and recommends that \$1 million from the FY 2004-05 Parking Fund Budget be transferred to the FY 2004-05 Local Shuttle Operating Budget.

Advisory Board Recommendation:

N/A

Financial Information:


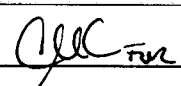
Source of Funds:		Amount	Account	Approved
	1	\$1,000,000	480-0050-000491	
	2		FY 2004-05 Parking Fund Budget	
	3			
	4			
	Total	\$1,000,000		


Finance Dept.

City Clerk's Office Legislative Tracking:

Robert Halfhill

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

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AGENDA ITEM

R7J

DATE

9-28-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 28, 2004

From: Jorge M. Gonzalez *JMG for*
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE TRANSFER OF \$1 MILLION FROM THE FISCAL YEAR (FY) 2004-05 PARKING FUND BUDGET TO THE FY 2004-05 LOCAL SHUTTLE (PREVIOUSLY KNOWN AS THE ELECTROWAVE SHUTTLE) OPERATING BUDGET; SUBJECT TO THE DETERMINATION BY THE CITY ADMINISTRATION THAT THE PARKING FUND HAS MET ALL DEBT COVENANTS FOR FISCAL YEAR 2003-04.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

For the last four fiscal years, the City Commission has authorized the appropriation of Parking funds as the City contribution and matching funds to the outside funds allocated to the annual shuttle operating budget. Such Parking Fund contributions have been as follows:

FY 2000-01 at \$1.05 million
FY 2001-02 at \$1.284 million
FY 2002-03 at \$1.24 million
FY 2003-04 at \$1.1 million
FY 2004-05 is proposed at \$1 million

The following local and outside sources have been identified to help fund the proposed FY 2004-05 Shuttle Budget:

FY 2004-05 Parking Fund Budget	\$1,000,000	48.57% of total budget
County Transit Surtax (PTP) Funds	500,000	Recurring source
FDOT JPA funds	40,000	JPA fund balance
Concurrency Mitigation funds/South Beach	438,935	Recurring source
Projected fare collection revenues	80,000	Recurring source
Proposed FY 2004-05 Operating Budget:	<u>\$2,058,935</u>	

The only recurring source of outside funds for shuttle operations is the municipal share of the County transit surtax (PTP) program. Twenty percent (20%) of the Miami Beach share of these funds, or approximately \$500,000 a year, is required to be used for transit projects – such as the local shuttle service.

Following City Commission direction, the Administration has met with the County administrative staff (Miami-Dade Transit/MDT), respectively in 2002, 2003, and 2004, with the following requests regarding the local shuttle service:

1. That MDT assume full responsibility over the local shuttle project;
2. Consider merging MDT's Route W with our Washington Route service. Such a merger would further enhance mobility options by providing a comprehensive transit service to the entire South Beach community; and
3. That MDT submit a proposal to the City for consideration and action.

In July 2004, the County MDT hired the Center for Urban Transportation Research (CUTR) to examine the issues involved and to make recommendations to MDT by early September 2004. If final negotiations between MDT and the City are successful, the item will be submitted for consideration by both the City and County Commissions. It is anticipated that this will not be accomplished in time for the new fiscal year. To avoid service interruption to the South Beach community, contracting once again with the Miami Beach Transportation Management Association (MBTMA) for continuation of the existing shuttle operations remains the best option available to the City, at least for the time being.

The implementation status of additional Commission directions regarding the shuttle project, and the reasons why the City should continue this successful service to South Beach will be provided in a following agenda item, which addresses the Proposed FY 2004-05 Shuttle Operating Budget.

The Administration recommends the transfer of \$1 million from the FY 2004-05 Parking Fund Budget to help fund the FY 2004-05 Shuttle Operating Budget, subject to the determination by the Administration that the Parking Fund has met all debt covenants for Fiscal Year 2003-04.

JMG/RM/FB/RH/AJ

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE TRANSFER OF \$1 MILLION FROM THE FISCAL YEAR (FY) 2004-05 PARKING FUND BUDGET TO THE FISCAL YEAR 2004-05 LOCAL SHUTTLE (PREVIOUSLY KNOWN AS THE ELECTROWAVE SHUTTLE) OPERATING BUDGET; SUBJECT TO THE DETERMINATION BY THE CITY ADMINISTRATION THAT THE PARKING FUND HAS MET ALL DEBT COVENANTS FOR FISCAL YEAR 2003-04.

WHEREAS, for the last four fiscal years, the Parking Fund has been the major source of recurring local funds for the Local Shuttle (previously known as the Electrowave Shuttle) Operating Budget; and

WHEREAS, the proposed Parking Fund contribution of \$1 million would fund 48.57% of the Fiscal Year (FY) 2004-05 Local Shuttle Operating Budget, while other combined sources would fund the remaining 51.43%; and

WHEREAS, these Parking funds would also provide the required local match to the outside funds made available for Shuttle operations; and

WHEREAS, the Parking Fund is the appropriate source of local funds for the Shuttle, due to the fact that organized park-and-ride shuttle programs are the most effective and reliable congestion mitigation tool available to South Beach.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby authorize the transfer of \$1 million from the Fiscal Year (FY) 2004-05 Parking Fund Budget to the Fiscal Year 2004-05 Local Shuttle (previously known as the Electrowave Shuttle) Operating Budget; subject to the determination by the City Administration that the Parking Fund has met all debt covenants for Fiscal Year 2003-04.

PASSED AND ADOPTED this _____ day of _____, 2004.


ATTEST:

MAYOR

CITY CLERK

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION


City Attorney *RJA* 9-23-04
Date

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution adopting the FY 2004-05 Local Shuttle (Electrowave) Operating Budget, in the amount of \$2,058,935.

Issue:

Shall the City Commission adopt the FY 2004-05 Local Shuttle Operating Budget?

Item Summary/Recommendation:

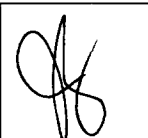
The Administration has been in discussions with Miami-Dade Transit (MDT) for several months regarding potential opportunities to transfer The Local Shuttle service operations to the County. A "Final Draft" titled "Analysis of Costs and Issues Associated with the Assumption of Miami Beach Local Transit Circulator" dated September 9, 2004, prepared for MDT by the Center for Urban Transportation Research (CUTR), estimates a total annual cost of \$2,451,715 for MDT to assume the local shuttle service in FY 2004-05, as compared to the City's proposed budget of \$2,058,935. The Administration has requested to meet with County officials to attempt to get a final answer as to whether or not the County is willing to assume the responsibility for operating the local shuttle and explore other options that might be available to increase operating efficiency. Even if an agreement is reached with the County, it would take several months to fully transfer operations of the Local shuttle.

Pending a final outcome of our discussions with the County, we recommend approval of the FY 2004-05 Operating Budget in the amount of \$2,058,935, to operate a system with (6) diesel buses and one (1) electric bus at peak times, on the existing shuttle route. If no agreement is reached with the County, the Administration will recommend an award for the purchase of diesel buses from the lowest and best bidder from an existing bid solicitation. The Administration recommends budget approval and appropriation of the funding sources listed below.

Advisory Board Recommendation:

N/A



Financial Information:

Source of Funds:		Amount	Account	Approved
 Finance Dept.	1	\$1,000,000	480.0050.000491 Parking Budget.	
	2	500,000	187.8000.312910 PTP funds	
	3	40,000	183.8000.334404 FDOT/JPA	
	4	438,935	158.8000.341226 Conc.Mitg/SoBe	
	5	80,000	Projected 04-05 fare collection revs.	
	Total	\$2,058,935		

City Clerk's Office Legislative Tracking:

Robert Halfhill

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

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AGENDA ITEM

R7K

DATE

9-28-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 28, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH FLORIDA, APPROVING AND ADOPTING THE FISCAL YEAR (FY) 2004-05 OPERATING BUDGET FOR THE LOCAL SHUTTLE SERVICE, PREVIOUSLY KNOWN AS ELECTROWAVE, IN THE AMOUNT OF \$2,058,935; AND APPROPRIATING A FUNDING PACKET WHICH INCLUDES \$500,000 IN PEOPLE'S TRANSPORTATION PLAN FUNDS; \$40,000 IN JOINT PARTICIPATION AGREEMENT FUNDS FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION; \$438,935 IN CONCURRENCY MITIGATION FUNDS; \$80,000 IN PROJECTED FARE COLLECTION REVENUES; AND \$1,000,000 FROM THE FY 2004-05 PARKING FUND BUDGET, WHICH IS BEING APPROPRIATED BY SEPARATE RESOLUTION.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

Pursuant to recommendations made in 2003 by the Center for Urban Transportation Research (CUTR), the Commission directed the Administration to accomplish several objectives regarding the City's Local Shuttle service, previously known as Electrowave. These objectives included the following:

1. That the Miami Beach Transportation Management Association (MBTMA) begin an advertising effort to increase shuttle ridership. Since then the following has been done:
 - Pink transit information cylinders were installed at all bus stop locations displaying the Washington Route service map, stop locations and their relation to local destinations and attractions.
 - New shuttle brochures were printed, distributed and promoted to the local hotels and other gathering points for residents, tourist, and visitors.
 - As a result, shuttle ridership has grown by 16.4% over last year's, from 645,836 in 2002-03 to 751,708 in 2003-04. This means an average 2,143 passengers per day.
2. That the City/MBTMA hire a professional marketing firm to research and make recommendations as to a new identity for the City's shuttle service.

The recommendations made by “re:group” for shuttle re-branding were submitted to the Neighborhoods Committee on July 26, 2004, and adopted by City Commission on July 28, 2004. It included the following:

- A new brand identity (The Local) and logo;
- New brochure design with route map;
- A uniform exterior bus design incorporating the new name and logo;
- Design of new shuttle signage; and
- Web site home page design.

Scraping and painting of four (4) shuttle buses, and printing of new shuttle brochures and signage to reflect the new identity are covered by funds provided for the purpose in the FY 2003-04 shuttle budget.

3. That the City purchase diesel buses to ultimately convert the electric bus fleet into a diesel fleet, utilizing existing Federal Transit Administration (FTA) Section 5309 funds. Pending the final outcome of our discussions with the County, a contract award recommendation will be placed on the next Commission Meeting agenda for consideration.
 - Invitation to Bid No. 21-03/04 for Six (6) Small Low Floor Transit (Diesel) Buses was issued on February 13, 2004, with a budget not to exceed \$1,629,444. Five vendors responded, and an award is pending by the City Commission at a future date.
 - The six new buses will come equipped with automatic passenger counters (APCs), voice enunciator system, and GPS tracking system;
 - Also included in the bid amount are the central hardware and software program associated with the APC system, which will be installed at dispatching.
4. That automatic passenger counting (APC) equipment be installed in the existing electric buses. After the \$30,000-plus central hardware and software for the APC system are in place at the dispatching and MBTMA offices, as part of the diesel bus purchase, will we be able to purchase and install counters in the existing electric buses. The estimated cost of the APC equipment and installation is \$14,850 per unit.
5. Request that Miami-Dade Transit (MDT) consider assuming full responsibility over the City’s Washington Route service; consider merging this route with MDT’s Route W to further enhance mobility options by providing a comprehensive transit service to the entire South Beach community; and submit a proposal to the City for consideration and possible action.

The Administration has met with the County/MDT administrative staff, respectively in 2002, 2003, and 2004. In July 2004, MDT hired the Center for Urban Transportation Research (CUTR) to examine the issues involved and submit report/recommendations to MDT.

The final CUTR draft report to MDT, titled “Analysis of Costs and Issues Associated with the Assumption of Miami Beach Local Transit Circulator,” dated September 9, 2004, estimated a total annual cost of \$2,451,715 for MDT to assume the Electrowave’s Washington Route service in FY 2004-05, as compared to the City’s proposed budget of \$2,058,935.

The Administration has requested to meet with County officials to attempt to get a final answer as to whether or not the County is willing to assume the responsibility for operating the local shuttle and to explore other options to improve systems efficiency. Even if an agreement is reached with the County, it would take several months to fully transfer operations of the local shuttle. If no agreement is reached with the County, the Administration will recommend an award to the lowest and best bidder for the purchase of six (6) diesel buses funded by the Federal Transit Administration.

The proposed FY 2004-05 Budget supports a system operating six (6) diesel buses and one (1) electric bus at peak times on the existing Washington Avenue route, therefore, pending a final outcome of discussions with the County and in order to avoid service interruption in South Beach, the Administration recommends approval of the FY 2004-05 Operating Budget in the amount of \$2,058,935 and the adoption of the following funding sources:

PRESENT AND PROPOSED FUNDING SOURCES

	FY 2003-04 Adopted Fund Sources	Projected FY 2003-04 Revenue	Proposed FY 2004-05 Funding Sources
Parking Fund	\$1,100,000	\$1,000,000	\$1,000,000
County Transit Surtax Proceeds	400,000	500,000	500,000
FDOT JPA fund balance/Washington Route	230,000	230,000	40,000
Insurance Revenue (from one burned-down bus)	84,200	84,200	-0-
Concurrency Mitigation Funds-South Beach	443,800	443,800	438,935
Projected fare collection revenues	78,000	80,000	80,000
	<u>\$2,336,000</u>	<u>\$2,338,000</u>	<u>\$2,058,935</u>

PRESENT AND PROPOSED OPERATING BUDGETS:

Expenditure Categories	FY 2003-04 Budget	Projected FY 2003-04 Costs	Proposed FY 2004-05 Budget
Transit Operator Contract	\$1,120,000	\$1,120,000	\$1,177,000 * 1
ATTI (Shuttle Vehicle/Battery Maintenance Contract)	676,000	672,000	411,391 * 2
MBTMA General Management Contract	165,000	165,000	169,950 * 3
Insurance on shuttle buses	100,000	100,000	-0-
Garage Keepers/Equipment Insurance	-0-	-0-	61,000 * 4
Professional Services (Miscellaneous)	65,000	62,000	65,000 * 5
Public Involvement (Marketing)	50,000	50,000	60,000 * 6
Propane for A/C, and Diesel Fuel	70,000	70,000	78,864
Electricity to Charge Batteries	35,000	32,000	13,000
Employee Park & Ride	-0-	-0-	14,130 * 7
Uniforms for Shuttle Drivers	6,000	6,000	6,000
Internal Services Charges for Water/Sewer	2,000	2,000	2,000
Telephones	-0-	-0-	600
Cost to scrape/repaint shuttle buses	47,000	47,000	-0-
	<u>\$2,336,000</u>	<u>\$2,326,000</u>	<u>\$2,058,935</u>

Asterisk (*) Items - Justifications for the above-mentioned budget line items:

* 1. The proposed operating contract with First Transit, at \$1,177,000, includes the following items:

- o Bus service 365 days, 7:30 a.m.-1:30 a.m., 7 buses in active service with an

- additional 3 in service rotation for preventative maintenance and battery change.
 - Union wages for drivers (FTA requirement); and cost of living increase for dispatchers and supervisors;
 - Shuttle bus liability and physical damage insurance at \$71,223 covering up to 12 buses, including to-be-purchased diesel buses. The City and MBTMA are additional insured. In previous years, this insurance cost had been provided for under a separate Insurance line item. However, the City moved it under the transit operator (First Transit) contract because it could get better rates than last year's, due to the volume discounts available to First Transit.
 - Safety and customer courtesy training; and
 - Communication, dispatching and tracking equipment.
- * 2. Note that the Advance Transportation Technology Institute (ATTI) contract line item at \$411,391 for the maintenance services to shuttle vehicles, batteries and equipment has gone down considerably (from \$676,000 in 2003-04). This is due to the following factors:
 - The \$61,000 Garage Keepers/Equipment Insurance, previously included here, has been moved to the Insurance line item of this budget;
 - A decrease of approximately \$173,609 in inventory and spare parts needed, for the following reasons:
 - ATTI has maintained the fleet at peak level of efficiency and effectiveness, therefore lessening the vehicle/battery repair effort and decreasing the inventory and spare parts needed to conduct such repairs;
 - The five (5) electric buses to be removed from service will be stripped for parts that will be kept as inventory. Per FTA rules, the City must operate the four (4) newest electric buses for the remaining two fiscal years;
 - No need to procure additional electric batteries, which have been purchased under the 2003-04 ATTI budget; and
 - The impending purchase of 6 diesel buses, under full warranty for one year.
 - The ATTI contract includes 1 full time maintenance manager, 5 mechanics, 3 helpers, 1 clerk. Maintenance schedules are based on 4-day shifts/10-hour days. It also includes monthly driver/mechanic training; preventative maintenance and repair of the shuttle fleet, including tow truck and forklifts; supplies, plus exterior and interior shuttle cleaning.
- * 3. MBTMA's general management contract for operations and administration of the shuttle project, at \$169,950. A subsequent item on this City Commission Agenda includes a professional services agreement with MBTMA. The contract includes a 3% cost of living salary increase for 4 office employees.
- * 4. Insurance, at \$61,000. It includes Garage Liability/Keepers Maintenance Insurance (\$38,000), and Equipment & Related Vehicle Service Insurance (\$23,000), which have been separated from the ATTI line item. The City and MBTMA are additional insured.
- * 5. Professional Services, at \$65,000. This category includes miscellaneous contracts and services, as follows: A \$25,000 agreement with the Parking Department for processing and depositing of transit fare collections (these activities requiring bonded employees; equipment to count, sort, and package coins; dedicated vault and safe; and handling of bank process); contract with Loomis Fargo for pickup and transport of farebox revenues to Parking Department; debit card reader maintenance and service; smaller

contracts for services; County-required annual permits, fees and inspection services for the shuttle vehicles; and other miscellaneous unforeseen expenses. The costs associated with the fare collection process were amply discussed with and approved by the City Commission prior to the adoption of the 25-cent fare for the shuttle service.

* 6. Information Service (Marketing) at \$60,000 to fund an intensified marketing program. It includes the on-going updating/installation of new informational signage at each shuttle stop and parking lot/garage; development/implementation of a Park-and-Shop program with merchants along Washington Avenue and Lincoln Road, along with an elementary school program and published advertising. It also includes the printing of re-branded shuttle brochures and signage.

* 7. Employee Park & Ride, at \$14,130, is a new budget line item made necessary by the construction of a new water pump station at Terminal Island, which has eliminated a large number of on-site parking spaces. It includes the shuttling of employees between Watson Island and Terminal Island, parking fees at Watson Island, driver wages, and insurance required to provide the service.

Funding Sources: Since 1998, when the shuttle service began operations, the City has been aware of the limited number of outside sources available to help fund local transit services, and the ever growing competition from other Miami-Dade municipalities which have implemented their own local shuttle projects, based on the success of our local circulator model.

The following remain our only sources of outside funding:

1. \$40,000 in FDOT/JPA funds will be available to the shuttle service through June 30, 2005, the end of the State-established 3-year funding period.
2. The only new and recurring source is the voter-approved People's Transportation Plan (PTP or surtax) funds. The Miami Beach share of these funds is approximately \$2.5 million a year, of which \$500,000 (or 20%) is required to be utilized for transit projects. Per County Ordinance No. 02-116, these funds are to supplement, not replace, the City's funding support to its own transit project.

Per the Center for Urban Transportation Research from the University of South Florida, the Electrowave shuttle service remains the most successful transit circulation system among dozens in South Florida. To date, the following information is pertinent to the Electrowave's successful operations in FY 2003-04:

- o The projected FY 2003-04 ridership is 751,700. This means 105,872 more passengers than the previous fiscal year (645,836), or a 16.4% increase;
- o This 751,700 figure will surpass the 750,232 from FY 1999-2000, when the 25-cent fare was implemented;
- o The average daily ridership is 2,143 passengers.
- o The fare collection in FY 2003-04 is projected at \$80,000, in spite of the County-implemented free fares for seniors (Golden Passport), disabled (STS Pass), and retired and active military and their family members (Military Pass);
- o The route service remains 100% operational; and

The Administration recommends approval of the Resolution.

JG/RM/FB/RH/AJ

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND ADOPTING THE FISCAL YEAR (FY) 2004-05 OPERATING BUDGET FOR THE LOCAL SHUTTLE SERVICE, PREVIOUSLY KNOWN AS ELECTROWAVE, IN THE AMOUNT OF \$2,058,935; AND APPROPRIATING A FUNDING PACKET WHICH INCLUDES \$500,000 IN PEOPLE'S TRANSPORTATION PLAN FUNDS; \$40,000 IN JOINT PARTICIPATION AGREEMENT FUNDS FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION; \$438,935 IN CONCURRENCY MITIGATION/SOUTH BEACH FUNDS; \$80,000 IN PROJECTED FARE COLLECTION REVENUES; AND \$1,000,000 IN FY 2004-05 PARKING FUND BUDGET, WHICH IS BEING APPROPRIATED BY A SEPARATE RESOLUTION.

WHEREAS, the Local Shuttle service to South Beach, previously known as Electrowave, has been in operation since January 1998, and has carried over 5.4 million passengers to date; and

WHEREAS, the Fiscal Year (FY) 2004-05 Operating Budget is proposed at \$2,058,935, which is \$160,365 less than the previously adopted budget; and

WHEREAS, the City is being asked to contribute \$1 million from the FY 2004-05 Parking Fund Budget, or 48.57% of the total Budget, which funds are being appropriated by a separate Resolution; these local funds include the required local match to the People's Transportation Plan (PTP) and Florida Department of Transportation (FDOT) funds contribution to the shuttle operating budget; and

WHEREAS, the remaining 51.74% of the Operating Budget will come from \$500,000 in PTP funds; \$40,000 in FDOT funds; \$438,935 from Concurrency Mitigation/South Beach funds; and \$80,000 from projected fare collection revenues.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and adopt the Fiscal Year 2004-05 Operating Budget for the Local Shuttle service, previously known as Electrowave, in the amount of \$2,058,935, and appropriate a funding packet which includes \$500,000 in People's Transportation Plan funds; \$40,000 in Joint Participation Agreement funds from the Florida Department of Transportation; \$438,935 in Concurrency Mitigation/South Beach funds; \$80,000 in projected fare collection revenues; and \$1,000,000 from the FY 2004-05 Parking Fund Budget, which is being appropriated by a separate Resolution.

PASSED AND ADOPTED this _____ day of _____, 2004.


ATTEST:

CITY CLERK

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MAYOR

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

9-23-09

Date

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution waiving, by 5/7ths vote, competitive bidding requirement and authorizing the execution of an Agreement with the Miami Beach Transportation Management Association (MBTMA), in the amount of \$2,058,935 for the performance of general management services for operations and administration of the Local Shuttle project (Electrowave); authorizing fund advancements to MBTMA on a quarterly basis; providing for the filing of quarterly reports and annual audits; and for the return of unused funds by closing of contract year.

Issue:

Shall the City contract with MBTMA for shuttle general management services?

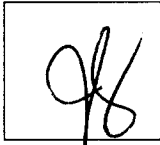
Item Summary/Recommendation:

This item is contingent upon approval of the FY 2004-05 Shuttle Operating Budget. MBTMA has overseen the shuttle project since its inception in 1996. Under this contract, MBTMA is bound by an extensive Scope of Services and a set of measurable Goals and Performance Standards, while working closely with and under the supervision of the Director of Public Works. One line item of this quarterly transferred \$2,058,935 shuttle budget is the MBTMA General Management Contract per se, in the amount of \$169,950, as direct compensation for the costs incurred by MBTMA in the performance of its shuttle-related duties. The Administration believes it to be in the best interest of the City to waive competitive bidding and continue contracting with MBTMA, and recommends approval of the Resolution.

Advisory Board Recommendation:

N/A


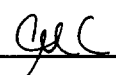
Financial Information:

Source of Funds:  Finance Dept.		Amount	Account	Approved
	1	\$1,000,000	480.0050.000491 Parking Budget	
	2	500,000	187.8000.312910 PTP funds	
	3	40,000	183.8000.334404 FDOT/JPA funds	
	4	438,935	158.8000.341226 Conc.Mitg/SoBe	
	5	80,000	Projected 04-05 fare collection rev.	
	Total	\$2,058,935	Previously-adopted Shuttle Budget	

City Clerk's Office Legislative Tracking:

Robert Halfhill

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

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AGENDA ITEM R7L
DATE 9-28-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 28, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING REQUIREMENT, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A GENERAL MANAGEMENT AGREEMENT BETWEEN THE CITY AND THE MIAMI BEACH TRANSPORTATION MANAGEMENT ASSOCIATION (MBTMA), IN THE AMOUNT OF \$2,058,935 FOR THE PERFORMANCE OF GENERAL MANAGEMENT SERVICES FOR OPERATIONS AND ADMINISTRATION OF THE SHUTTLE PROJECT; AUTHORIZING THE ADVANCEMENT OF ONE FOURTH OF THE FISCAL YEAR 2004-05 OPERATING BUDGET FUNDS TO MBTMA, ON A QUARTERLY BASIS; PROVIDING FOR THE FILING OF QUARTERLY FINANCIAL AND ADMINISTRATIVE REPORTS, AS WELL AS ANNUAL AUDITS; AND FURTHER PROVIDING FOR THE RETURN OF ALL UNUSED FUNDS TO THE CITY, BY CLOSING OF THE CONTRACT YEAR.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

This item is contingent upon approval of the proposed FY 2004-05 Shuttle Operating Budget, submitted as a previous item on this September 28th Commission Agenda.

The Miami Beach Transportation Management Association (MBTMA) has overseen the shuttle project for the City, since its inception in 1996. In October 1, 2001, MBTMA became the General Manager for Administration and Operations, and was made solely responsible and accountable for all aspects of the City's shuttle project. There are several advantages to this City arrangement with MBTMA:

1. MBTMA is a public/private, not-for-profit organization created and funded by the Florida Department of Transportation (FDOT), and the City, for the purpose of developing and implementing attractive transit alternatives to the private automobile. Therefore, MBTMA is allowed to utilize city, county and state funds included in the shuttle budget.

2. If the City were to hire an outside contractor, other than MBTMA, the City would have to hire sufficient City staff to supervise all shuttle funds, pay all project invoices, prepare all requests for reimbursements, make all electronic filings with FTA, and prepare all reports required by FDOT and FTA, which duties are presently handled by MBTMA.

A detailed Scope of Services (MBTMA Duties) is included as *Exhibit "A"* and made part of the proposed General Management Agreement with MBTMA. A summary of MBTMA's main duties regarding the Project follows:

- MBTMA abides by the City-adopted annual shuttle operating budget.
- Receives quarterly wire transfers (from City) of one fourth of annual operating funds.
- Ensures proper expenditures and accounting of shuttle operating funds.
- Maintains detailed accounting and filing systems for the project.
- Files quarterly expenditure and administrative reports with the City.
- Files quarterly and annual reports with FTA.
- Files monthly reports with FDOT.
- Abides by Federal/State/City procurement requirements.
- Submits annual audit reports prepared by a professional accounting firm, as required.
- Prepares/files quarterly invoices/requests for reimbursements with FDOT.
- Contracts with and supervises the work of all firms/organizations that provide services to the shuttle project.
- Administers and monitors the fare collection and depositing processes.
- Marketing, public relations, and promotional services.
- Route management and scheduling, and personnel training.
- Passenger complaints and other service-related challenges.
- Furnishes data/material needed for items requiring City Commission approval.
- Responds to requests made by the City elected officials and/or Administration regarding the shuttle project.

A set of measurable Goals and Performance Standards is also included as *Exhibit "B"* and made part of the General Management Agreement with MBTMA. The City conducts evaluations of MBTMA's performance, based on the above-mentioned standards.

The City retains the following duties (*Exhibit "C"*) regarding the shuttle project.

- All major policy decisions regarding the continuation and/or expansion of services.
- Approval of annual budgets, including City funding participation/local match.
- Custody over the project operating funds.
- The City advances one-fourth (1/4th) of the operating funds (shuttle budget) to MBTMA, on a quarterly basis, via wire transfers.
- Full custody and responsibility over the project capital funds (FTA Section 5309 funds).
- Ownership of all funds received from County Transit Surtax proceeds and funds reimbursed by FDOT, as part of the annual shuttle operating budget.
- Consideration, approval, and execution of funding agreements with County, State, and Federal agencies, as applicable;
- Preparation of all City Commission Agenda Items and LTCs regarding the Project;
- Provision of shuttle buses/equipment/facilities from which the services are operated.

One line item of the FY 2004-05 Shuttle Operating Budget is the MBTMA General Management Contract, in the amount of \$169,950. Attached as *Exhibit "D"* to the contract, you will find a proposed budget for the specific administrative service costs to be incurred by MBTMA in the performance of its general management duties.

The Administration believes it to be in the best interest of the City to waive competitive bidding and continue contracting with MBTMA; and recommends approval of the Resolution.

JMG/RM/FB/RH/AJ

Attachment: General Management Agreement (with its *Exhibits "A"* through *"D"*)

MANAGEMENT AGREEMENT
BETWEEN THE CITY OF MIAMI BEACH, FLORIDA
AND THE
MIAMI BEACH TRANSPORTATION MANAGEMENT ASSOCIATION (MBTMA)
FOR THE PROVISION OF
GENERAL MANAGEMENT SERVICES FOR ADMINISTRATION & OPERATIONS
OF THE LOCAL SHUTTLE SERVICE
FOR FISCAL YEAR 2004-05

THIS MANAGEMENT AGREEMENT made and entered into this 28th day of September, 2004, by and between the **CITY OF MIAMI BEACH, FLORIDA** (hereinafter referred to as City), having its principal offices at 1700 Convention Center Drive, Miami Beach, Florida, 33139 and the **MIAMI BEACH TRANSPORTATION MANAGEMENT ASSOCIATION** (hereinafter referred to as MBTMA or Consultant), a not for profit 501(c)(4) organization, which address is 777 41st Street, Suite 330, Miami Beach, Florida 33140.

SECTION 1
DEFINITIONS

- Agreement:** This written General Management Agreement for Operations and Administration of the Electrowave Shuttle Service between the City and Consultant.
- City Manager:** The Chief Administrative Officer of the City.
- Consultant:** For the purposes of this Agreement, Consultant shall be deemed to be an independent contractor, and not an agent or employee of the City, in this case, the Miami Beach Transportation Management Association (MBTMA).
- Services:** All services, work and actions by the Consultant performed pursuant to or undertaken under this Agreement, as described in Section 2 and Exhibit A.
- Project Coordinator:** An individual designated by the City to coordinate, direct and review, on behalf of the City, all quarterly and other reports to be submitted by the Consultant to the City, as described in Section 2 and Exhibit "A."

Fixed Fee: Management fee to be paid to Consultant.

Risk Manager: The Risk Manager of the City, with offices at 1700 Convention Center Drive, Third Floor, Miami Beach, Florida 33139, telephone number (305) 673-7000, Ext. 6435, and fax number (305) 673-7023.

SECTION 2

SCOPE OF WORK

The scope of work to be performed by Consultant is set forth in **Exhibit “A,”** entitled “Scope of Services” (Services).

SECTION 3

FY 2004-05 OPERATING BUDGET/COMPENSATION

3.1 FIXED FEE

Consultant shall receive quarterly wire transfers from the City for the total Fiscal Year 2004-05 operating budget for the Electrowave Shuttle Service, as approved by the Mayor and City Commission pursuant to Resolution No. _____, dated September 28, 2005, provided herein in an amount not to exceed Two Million Fifty Eight Thousand Nine Hundred Thirty Five and 00/100 Dollars (\$2,058,935), for the Services set forth in Exhibit “A” hereto. As part of the above mentioned funds, a fixed fee of \$169,950 is included as direct compensation for the Services being provided by the Consultant pursuant to this Agreement.

Consultant shall place all funds transferred by the City to the Consultant in an account designated solely and exclusively for general management of operations and administration of the Services.

3.2 Four quarterly fund transfers shall be made to the Consultant, beginning from the execution of this Agreement, which effective date is October 1, 2004. Consultant shall be required to submit quarterly financial, management, and administrative reports, and other submissions which detail the Consultant’s work performed each quarter, as set forth in Exhibit “A”.

Each quarterly payment shall be made in an amount not to exceed one fourth of the adopted FY 2004-05 Shuttle Operating Budget, excepting the third quarter when the liability insurance coverage on the entire shuttle fleet is due for renewal. In addition, the City shall

deduct from each quarterly transfer, whatever funds have remained unused by the Consultant during the previous quarter.

SECTION 4

GENERAL PROVISIONS

4.1 RESPONSIBILITY OF THE CONSULTANT

Consultant shall exercise that degree of skill, care, efficiency and diligence normally exercised by recognized professionals with respect to the performance of comparable Services. In its performance of the Services, Consultant shall comply with all applicable laws and ordinances, including but not limited to, applicable regulations of the City, County, State, Federal Government, ADA, EEO Regulations and Guidelines.

4.2 RESPONSIBILITY OF THE CITY

- 4.2.1 The City shall evaluate the Consultant's performance on a quarterly and annual basis, utilizing a set of parameters established by the City, and agreed to by the Consultant, as set forth in **Exhibit "B,"** entitled "Goals and Performance Standards."
- 4.2.2 The City shall provide certain goods and services to the Electrowave Shuttle Project, as set forth in **Exhibit "C,"** "Duties of the City."

4.3 PUBLIC ENTITY CRIMES

State of Florida Form PUR 7068, Sworn Statement under Section 287.133(3)(a) Florida Statute on Public Entity Crimes shall be filed with the City's Procurement Division.

4.4 PROJECT MANAGEMENT

The Consultant shall appoint a qualified individual acceptable to the City to serve as General Manager for the Services, who shall be fully responsible for the day-to-day activities under this Agreement and who shall serve as the primary contact for the City's Project Coordinator.

4.5 DURATION AND EXTENT OF AGREEMENT

The term of this Agreement shall be for a period of twelve (12) months, commencing on October 1, 2004, and ending September 30, 2005. Funding for any additional term(s) shall be

subject to approval by the City, at its sole discretion, and be contingent upon a favorable evaluation of the MBTMA by the City and the Florida Department of Transportation (FDOT). Notwithstanding the aforestated language, however, the City shall have no future obligation to renew this Agreement beyond the twelve-month term set forth herein.

4.6 OWNERSHIP OF DOCUMENTS AND EQUIPMENT

All documents prepared by the Consultant pursuant to this Agreement are related exclusively to the Services described herein, and are intended or represented for ownership by the City. Any reuse by Consultant or the parties shall be approved in writing by the City.

4.7 INDEMNIFICATION

Consultant agrees to indemnify and hold harmless the City of Miami Beach and its officers, employees and agents, from and against any and all actions, claims, liabilities, losses, and expenses, including, but not limited to, attorneys' fees, for personal, economic or bodily injury, wrongful death, loss of or damage to property, at law or in equity, which may arise or be alleged to have arisen from the negligent acts, errors, omissions or other wrongful conduct of the Consultant, its employees, agents, sub-consultants, or any other person or entity acting under Consultant's control, in connection with the Consultant's performance of the Services pursuant to this Agreement; and to that extent, the Consultant shall pay all such claims and losses and shall pay all such costs and judgments which may issue from any lawsuit arising from such claims and losses, and shall pay all costs and attorneys' fees expended by the City in the defense of such claims and losses, including appeals. The parties agree that one percent (1%) of the total compensation to the Consultant for performance of the Services under this Agreement is the specific consideration from the City to the Consultant for the Consultant's Indemnity Agreement.

The Consultant's obligation under this Subsection shall not include the obligation to indemnify the City of Miami Beach and its officers, employees and agents, from and against any actions or claims which proximately result from negligent acts or omissions or other wrongful conduct of the City and its officers, employees and agents. The parties each agree to give the other party prompt written notice of any claim coming to its knowledge that in any way directly or indirectly affects the other party.

4.8 INSURANCE REQUIREMENTS

The Consultant shall not commence any work pursuant to this Agreement until all insurance required under this Subsection has been obtained and such insurance has been approved by the City's Risk Manager. The Consultant shall maintain and carry in full force during the term of this Agreement and throughout the duration of the work the following insurance:

1. Professional General Liability in the amount of \$1,000,000.00.
2. Workers Compensation & Employers Liability, as required pursuant to Florida statute.

All policies are subject to the following provisions:

All insurance must be furnished by insurance companies authorized to do business in the State of Florida and approved by the City's Risk Manager. The City must be named as an additional insured. Original certificates of insurance for the above mentioned coverages, or any other form of insurance as may be required by the City or the City designee, must be submitted to the City's Risk Manager for approval prior to any work commencing. These certificates will be kept on file in the office of the Risk Manager, 3rd Floor, City Hall. The Consultant is responsible for obtaining and submitting all insurance certificates for their Consultants. Thirty (30) days written notice of cancellation or substantial modification in the insurance coverage must be given to the City's Risk Manager by the Consultant and its insurance company.

All insurance policies must be issued by companies authorized to do business under the laws of the State of Florida. The companies must be rated no less than "B+" as to management and not less than "Class VI" as to strength by the latest edition of Best's Insurance Guide, published by A.M. Best Company, Oldwick, New Jersey, or its equivalent, subject to the approval of the City's Risk Manager.

Compliance with the foregoing requirements shall not relieve the Consultant of the liabilities and obligations under this Subsection or under any other portion of this Agreement, and the City shall have the right to obtain from the Consultant specimen copies of the insurance policies in the event that submitted certificates of insurance are inadequate to ascertain compliance with required coverage.

4.8.1 ENDORSEMENTS

All of Consultant's certificates, above, shall contain endorsements providing that written notice shall be given to the City at least thirty (30) days prior to termination, cancellation or reduction in coverage in the policy.

4.8.2 CERTIFICATES

Unless directed by the City otherwise, the Consultant shall not commence the Services until the City has received and approved, in writing, certificates of insurance showing that the requirements of this Subsection (in its entirety) have been met and provided for.

4.9 TERMINATION, SUSPENSION AND SANCTIONS

4.9.1 Termination for Cause

If the Consultant shall fail to fulfill in a timely manner, or otherwise violate any of the covenants, agreements, or stipulations material to this Agreement, the City shall thereupon have the right to terminate the Services then remaining to be performed. Prior to exercising its option to terminate for cause, the City shall notify the Consultant of its violation of the particular terms of this Agreement and shall grant Consultant ten (10) days to cure such default. If such default remains uncured after (10) days, the City, upon seven (7) days notice to Consultant, may terminate this Agreement and the City shall be fully discharged from any and all liabilities, duties and terms arising out of/or by virtue of this Agreement.

In that event, all finished and unfinished documents, data, studies, surveys, drawings, maps, models, photographs, reports and other work products prepared by the Consultant and its subcontractors shall be properly assembled and delivered to the City at the Consultant's sole cost and expense. Consultant shall be paid for any Services satisfactorily performed up to the date of termination.

Notwithstanding the above, the Consultant shall not be relieved of liability to the City for damages sustained by the City by any breach of the Agreement by the Consultant. The City, at its sole option and discretion, shall additionally be entitled to bring any and all legal/equitable actions that it deems to be in its best interest in order to enforce the City's right and remedies against the defaulting party. The City shall be entitled to recover all costs of such actions, including reasonable attorney's fees. **To the extent allowed by law, the defaulting party waives its right to jury trial and its right to bring permissive counter claims against the City in any such action.**

4.9.2 Termination for Convenience of City

THE CITY MAY, FOR ITS CONVENIENCE AND WITHOUT CAUSE, TERMINATE THE SERVICES THEN REMAINING TO BE PERFORMED AT ANY TIME DURING THE TERM HEREOF BY GIVING WRITTEN NOTICE TO CONSULTANT OF SUCH TERMINATION, WHICH SHALL BECOME EFFECTIVE SEVEN (7) DAYS FOLLOWING RECEIPT BY THE CONSULTANT OF THE WRITTEN TERMINATION NOTICE. IN THAT EVENT, ALL FINISHED OR UNFINISHED DOCUMENTS AND OTHER MATERIALS, AS DESCRIBED IN SECTION 2 AND IN EXHIBIT "A" SHALL BE PROPERLY ASSEMBLED AND DELIVERED TO THE CITY AT CONSULTANT'S SOLE COST AND EXPENSE. IF THE AGREEMENT IS TERMINATED BY THE CITY.

4.9.3 Termination for Insolvency

The City also reserves the right to terminate the remaining Services to be performed in the event the Consultant is placed either in voluntary or involuntary bankruptcy or makes an assignment for the benefit of creditors. In such event, the right and obligations for the parties shall be the same as provided for in Section 4.10.2.

4.9.4 Sanctions for Noncompliance with Nondiscrimination Provisions

In the event of the Consultant's noncompliance with the nondiscrimination provisions of this Agreement, the City shall impose such sanctions as the City or the State of Florida may determine to be appropriate, including but not limited to, withholding of payments to the Consultant under the Agreement until the Consultant complies and/or cancellation, termination or suspension of the Services. In the event the City cancels or terminates the Services pursuant to this Subsection the rights and obligations of the parties shall be the same as provided in Section 4.10.2.

4.9.5 Changes and Additions

This Agreement shall only be modified, changed or amended by an instrument of equal dignity, executed by the officers and agents duly authorized by each respective party.

4.10 AUDIT AND INSPECTIONS

At any time during normal business hours and as often as the City may deem necessary, there shall be made available to the City and/or such representatives as the City may deem to act on its behalf, to audit, examine and make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment and other data relating to all matters

covered by this Agreement. Consultant shall maintain any and all records necessary to document compliance with the provisions of this Agreement.

4.11 ACCESS TO RECORDS

Consultant agrees to allow access during normal business hours to all financial records to the City and/or such authorized representatives as it may deem to act on its behalf, and agrees to provide such assistance as may be necessary to facilitate financial audit by the City or its representatives when deemed necessary to insure compliance with applicable accounting and financial standards. Consultant shall allow access during normal business hours to all other records, forms, files, and documents which have been generated in performance of this Agreement, to those personnel as may be designated by the City.

4.12 ASSIGNMENT, TRANSFER OR SUBCONTRACTING

The Consultant shall not subcontract, assign, or transfer any work under this Agreement without the prior written consent of the City.

4.13 SUB-CONSULTANTS

The Consultant shall be liable for the Consultant's services, responsibilities and liabilities under this Agreement and the services, responsibilities and liabilities of sub-Consultants, and any other person or entity acting under the direction or controls of the Consultant. When the term "Consultant" is used in this Agreement, it shall be deemed to include any sub-Consultants and any other person or entity acting under the direction or control of Consultant. All sub-Consultants must be approved in writing prior to their engagement by Consultant.

4.14 EQUAL EMPLOYMENT OPPORTUNITY

In connection with the performance of this Agreement, the Consultant shall not discriminate against any employee or applicant for employment because of race, color, religion, ancestry, sex, age, and national origin, place of birth, marital status, or physical handicap. The Consultant shall take affirmative action to ensure that applicants are employed and that employees are treated during their employment without regard to their race, color, religion, ancestry, sex, age, national origin, and place of birth, marital status, disability, or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or termination; recruitment or recruitment advertising; layoff or termination; rates of pay, or other forms of compensation; and selection for training, including apprenticeship.

4.15 CONFLICT OF INTEREST

The Consultant agrees to adhere to and be governed by the Metropolitan Miami-Dade County Conflict of Interest Ordinance (No. 72-82), as amended; and by the City of Miami Beach Charter and Code, which are incorporated by reference herein as if fully set forth herein, in connection with the Agreement conditions hereunder.

The Consultant covenants that it presently has no interest and shall not acquire any interest, direct or indirectly which should conflict in any manner or degree with the performance of the Services. The Consultant further covenants that in the performance of this Agreement, no person having any such interest shall knowingly be employed by the Consultant. No member of or delegate to the Congress of the United States shall be admitted to any share or part of this Agreement or to any benefits arising therefrom.

4.16 PATENT RIGHTS; COPYRIGHTS; CONFIDENTIAL FINDINGS

Any patentable result arising out of this Agreement, as well as all information, design specifications, processes, data and findings, shall be made available to the City for public use.

No reports, other documents, articles or devices produced in whole or in part under this Agreement shall be the subject of any application for copyright or patent by or on behalf of the Consultant or its employees or subcontractors.

4.17 NOTICES

All communications relating to the day-to-day activities shall be exchanged between the Project Manager/Maintenance Manager appointed by Consultant and the Project Manager designated by the City. The Consultant's Project Manager and the City's Project Coordinator shall be designated promptly upon commencement of the Services.

All other notices and communications in writing required or permitted hereunder may be delivered personally to the representatives of the Consultant and the City listed below or may be mailed by registered mail, postage prepaid (or airmailed if addressed to an address outside of the city of dispatch).

Until changed by notice in writing, all such notices and communications shall be addressed as follows:

TO CONSULTANT: Miami Beach Transportation Management Association (MBTMA)
Judy I. Evans, Executive Director
777 41st Street, Suite 330
Miami Beach, Florida 33140
(305) 535-9160
(305) 535-9157 – fax
mbtma@earthlink.net

TO CITY: City of Miami Beach
Fred Beckmann, Director of Public Works
Project Coordinator
1700 Convention Center Drive, 4th Floor
Miami Beach, FL 33139
(305) 673-7000, Ext. 6185
(305) 604-2498 – Fax
fredbeckmann@ci.miami-beach.fl.us

WITH COPIES TO: Office of the City Attorney
Attn: Murray H. Dubbin
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

Notices hereunder shall be effective:

If delivered personally, on delivery; if mailed to an address in the city of dispatch, on the day following the date mailed; and if mailed to an address outside the city of dispatch on the seventh day following the date mailed.

4.18 LITIGATION JURISDICTION/VENUE

This Agreement shall be enforceable in Miami-Dade County, Florida, and if legal action is necessary by either party with respect to the enforcement of any or all of the terms or conditions herein, exclusive venue for the enforcement of same shall lie in Miami-Dade County, Florida.

4.19 ENTIRETY OF AGREEMENT

This writing and the Services embody the entire Agreement and understanding between the parties hereto, and there are no other agreements and understandings, oral or written with reference to the subject matter hereof that are not merged herein and superseded hereby. The Services and the Proposal Documents are hereby incorporated by reference into this Agreement.

No alteration, change, or modification of the terms of this Agreement shall be valid unless amended in writing, signed by both parties hereto, and approved by the City Commission of the City of Miami Beach.

This Agreement shall be governed by and construed according to the laws of the State of Florida.

4.20 LIMITATION OF CITY'S LIABILITY

The City desires to enter into this Agreement only if in so doing the City can place a limit on the City's liability for any cause of action for money damages due to an alleged breach by the City of this Agreement, so that its liability for any such breach never exceeds the sum of \$10,000. Consultant hereby expresses its willingness to enter into this Agreement with Consultant's recovery from the City for any damage action for breach of contract to be limited to a maximum amount of \$10,000.

Accordingly, and notwithstanding any other term or condition of this Agreement, Consultant hereby agrees that the City shall not be liable to the Consultant for damages in an amount in excess of \$10,000 for any action or claim for breach of contract arising out of the performance or non-performance of any obligations imposed upon the City by this Agreement. Nothing contained in this paragraph or elsewhere in this Agreement is in any way intended to be a waiver of the limitation placed upon the City's liability as set forth in Section 768.28, Florida Statutes.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their appropriate officials, as of the date first entered above.

FOR CITY:

CITY OF MIAMI BEACH, FLORIDA

ATTEST:

By:

City Clerk

Mayor

FOR CONSULTANT:

**MIAMI BEACH TRANSPORTATION
MANAGEMENT ASSOCIATION (MBTMA)**

ATTEST:

By:

**Executive Director
(General Manager)**

President, MBTMA Board of Directors

Corporate Seal

EXHIBITS

FY 2004-05 GENERAL MANAGEMENT AGREEMENT WITH MBTMA FOR OPERATIONS AND ADMINISTRATION OF THE LOCAL SHUTTLE

	<u>Pages</u>
○ EXHIBIT “A” - Scope of Services (MBTMA Duties)	1 - 4
○ EXHIBIT “B” - Goals and Performance Standards for MBTMA	5 - 6
○ EXHIBIT “C” - Scope of Services (City Duties)	7 - 8
○ EXHIBIT “D” - MBTMA/Shuttle Contract Management Budget	9

EXHIBIT "A"

SCOPE OF SERVICES (MBTMA DUTIES)

MANAGEMENT AGREEMENT FOR THE LOCAL SHUTTLE SERVICE

For the upcoming FY 2004-05, the Administration proposes to retain the Miami Beach Transportation Management Association (MBTMA) as the General Manager for administration and operations of the Local Shuttle Service. Among the MBTMA duties, the following are the most important:

Financial/Accounting Duties:

- MBTMA will abide by the adopted FY 2004-05 Shuttle Operating Budget, in the amount of \$2,058,935.
- Submit a written request to the City's Transportation section of the Public Works Department for the advancement of funds by the City, based on projected expenditures for each upcoming quarter of the year. The City will advance the requested amount of quarterly funds, out of the adopted shuttle operating budget. **Note:** this written request for advancement does not apply to the first quarter of the fiscal year (October-December 2004), when the City will automatically advance one-fourth of the total budget funds to MBTMA.
- Maintain an Local Shuttle bank account that is separate and independent of the MBTMA bank account, and suitable to receiving wire transfers.
- Maintain a detailed accounting system for the project.
- Ensure proper expenditures of shuttle operating funds, as budgeted; and review, approve and pay all invoices.
- Maintain computer spreadsheets and comprehensive file system for accounts paid. This practice will help ensure budget control, and maintain daily expenditure and balance totals.
- Prepare and submit quarterly expenditure reports to the City-designated Project Manager, attn: Transportation Coordinator, documenting how advanced funds were spent during the particular month. Similar report shall also be submitted to the Florida Department of Transportation (FDOT) and Miami-Dade Transit (MDT), and the Federal Transit Agency (FTA), if so required by these agencies.

- Utilizing accounts-paid documentation, prepare and submit quarterly invoices/requests for reimbursements with the various State and other grant agencies, as applicable, helping fund the shuttle operations. In addition, a transmittal letter and standard City invoice, signed by the City's Project Coordinator shall always accompany the quarterly requests for reimbursement.
- All fund reimbursements shall be payable to the City of Miami Beach and addressed to the City's Finance Department.
- City maintains the right to audit books at anytime using internal or external auditors.
- Submit to City a Projected Expenditure Report plus a Proposed Budget with identified funding sources for the new fiscal year, no later than July 31, 2005.
- Submit a Final Expenditure Report no later than October 31, 2005.
- Submit to City and other funding agencies an annual Audited Financial Statements, prepared by a professional accounting firm.

Procurement Duties:

- Coordinate and manage all functions necessary to procure a route service operator, vehicle maintenance, electricity, propane and fuel, marketing, public relations, and advertising, and miscellaneous goods and services. These services include the preparation of requests for proposals and bids, contract requirements, documents, negotiations, hiring and firing.
- Abide by Federal, State and City procurement requirements;
- Work closely with the appropriate City personnel when preparing and submitting requests for qualifications, proposals, or bids; and during annual budget preparation. In addition, furnish all data and materials needed for the preparation of items requiring City Commission approval.
- Contract with a transit operator for the operation of the existing routes, utilizing the transit operator's own drivers, dispatchers, and supervisors;
- Contract with the Electric Transit Vehicle Institute (ETVI), which has successfully provided technical expertise and mechanical maintenance services to the electric buses and batteries, since August 6, 2001.
- Contract for other services needed for the proper delivery of duties regarding the project, but within the constraints of the City-adopted operating budget for the Project.

Revenue-Producing Duties:

- Utilize and pay for a proportional share of a contract the City's Parking Department has with Loomis Fargo for the retrieval, counting, and depositing of transit fare revenues collected by the service in a City/Shuttle-designated bank account.
- Administer and monitor the fare collection and depositing processes. Reconcile passenger count data (paying customers minus Golden Passport, Special Transportation Services-STS, and Military Pass riders) with collected fare revenue.
- Coordinate a Park & Ride and debit card promotion, in partnership with the City's Parking Department.
- Advertise, solicit and collect monthly dues from prospective customers for the on-board advertising program, which helps fund shuttle operations. All advertising revenues shall be deposited with the City cashier, utilizing a shuttle-designated revenue account.

General Duties:

- Be solely responsible and accountable for all aspects of the Local Shuttle service administration, management, operations and services.
- Be solely responsible and accountable for the marketing, public relations, and promotional services of the Local Shuttle service.
- Develop and maintain documents and procedures for all areas of shuttle operation and fleet maintenance.
- Strive to meeting and/or exceeding the set of Performance Standards for the Project per se and for the contractor services to the Project. MBTMA's performance as General Manager will be evaluated on a quarterly and annual basis, pursuant to these standards.
- Establish and maintain most local, regional, and national contacts which are essential to the Local Shuttle project's continued success; search for new funding sources, and apply for additional funding to help meet the capital and operating needs of the project.
- MBTMA shall be the City-designated expert and coordinator for FTA-related matters, including all report and/or application preparation, and filing requirements.

- Research all funding opportunities, prepare and submit applications to support the continuation of contracts and services.
- Prepare all non-technical provisions for the shuttle service, including verifying compliance with all Federal, State, County, and local requirements.
- Perform route management and scheduling; plan and implement route enhancements, personnel training; and handle all passenger complaints and other service-related challenges.
- Custodian of all shuttle records, and in charge of all coordination with FDOT, MDT, FTA, and other funding and/or permitting agencies.
- Monitor safety requirements and documentation. Prepare and file annual safety report with FDOT, which filing requires City signature.
- Manage vehicle maintenance activities.
- Monitor operations and quality of services on a daily basis. Analyze and implement changes as required to ensure efficiency and effectiveness.
- Respond and resolve all complaints, and respond to any and all inquiries concerning the project and its services.
- Coordinate and conduct driver training and orientation, on a regular basis.
- Survey the ridership on a quarterly basis and the South Beach community on an annual basis to monitor efficiency and effectiveness of services.

Additional Reporting Duties:

- Prepare any additional reports as required by the City, the Florida Department of Transportation (FDOT), the Miami-Dade Transit (MDT); prepare and file the Federal Transit Administration (FTA) Section 15 Reports, within required deadlines.
- MBTMA will file all reports with the City's Transportation section of Public Works, and will report to the Department Director.
- Prepare and file with the City, quarterly reports for all City-requested non-scheduled services, dates, purpose, and costs included. Alert the City when such non-scheduled services have the potential to exceed budget.
- City maintains the right to audit MBTMA books at anytime using internal or external auditors.

EXHIBIT “B”

GOALS AND PERFORMANCE STANDARDS FOR MBTMA

A set of Goals and measured Performance Standards has been established for the period of October 1, 2004 - September 30, 2005 for the general management services provided by the Miami Beach Transportation Management Association for the Local Shuttle Project.

MBTMA shall respond to all applicable goals when filing the required quarterly reports with the City. Such reports shall be filed to the attention of the City's Transportation Coordinator. A review meeting may be scheduled with the Director of Public Works, if needed.

The FY 2004-05 Goals and Performance Standards are:

1. Increase ridership by 10% by the end of the performance period (September 30, 2006).
2. Improve headways to 8-10 minutes, by the end of the performance period (September 30, 2006).
3. Maintain availability at 90% of the existing fleet, or better.
4. Maintain the number of tows (road calls) to no more than 5 per month.
5. Maintain and improve computer program to track and print out the following performance-related items, automatically and on demand.
 - a. Ridership counts by fiscal year, month, week, day, route, and totals
 - b. Gold Passport, STS, and Military Pass counts: same as above
 - c. Hourly ridership counts per bus/per route, after on-bus counters are purchased and installed.
 - d. Ridership counts during special events
 - e. Fare revenues
 - f. Loss of fare revenues due to special event services performed by rented buses.

Quarterly progress reports on the above six points shall be submitted.

6. Conduct bi-annual evaluations of service hours, ridership demands, and efficiency of service for submission to the City. Bi-annual progress reports shall be submitted.

7. Monitor and evaluate communications between operations and fleet maintenance, Conduct quarterly performance evaluations of both, and meet with City for review of results. This will help MBTMA track the below-mentioned performance measurements:
 - a. Safety/accident reports
 - b. Road calls
 - c. Battery service
 - d. Work orders submitted
 - e. Work orders completed.
8. On a quarterly basis, prepare/submit requests for reimbursement by FDOT (Service Development Program, which helps fund shuttle operations).
9. Up to the point when the City's Finance Department is fully trained to take over the duties, MBTMA shall prepare and submit, electronically, the application papers required by FTA for the bus/bus equipment capital funds that have been previously earmarked and/or allocated for the shuttle project. This shall be accomplished within a timeline that is mutually agreed upon, in writing, by the City and MBTMA. MBTMA shall have no duties regarding the FTA capital funds allocated to the intermodal facility project.
10. All Shuttle/MBTMA-related items that require consideration and approval by the City Commission, shall be submitted to the Transportation Section of Public Works no later than 30 days prior to the specified meeting date.

EXHIBIT “C”

SCOPE OF SERVICES (CITY DUTIES)

THE LOCAL SHUTTLE PROJECT

The City will retain the following duties regarding the Local Shuttle Project (the Project):

- Maintain ownership of all buses, equipment, tools, and facilities from which the services are operated.
- Consideration and approval of all major policy decisions regarding the capital and operating Project funds and expenditure of future funds;
- Consideration, approval and appropriation of annual budgets, after preparation and submission by MBTMA (including proposed City funding participation);
- Maintain custody over the Project funds (capital and operating);
- Transfer of one-fourth of the Project operating funds to MBTMA, on a quarterly basis, beginning October 1, 2004, utilizing the procedures and method established in Section 2 of the General Management Agreement, as executed by the City and Consultant for the Project.
- Consideration, approval, and execution of agreements with County, State, Federal agencies;
- After receiving specialized FTA training, the City's Finance Department, will electronically process and submit all applications, reports, and requests for reimbursement to FTA, for all FTA capital funds that have been earmarked and/or allocated for the purchase of bus and bus-related equipment, and for the intermodal facility project.
- Administrative, management and accounting services for the FTA-funded capital program..
- Review all reports and quarterly requests for reimbursement of operating funds prepared by MBTMA, prior to their submission to FDOT. These will become official City submissions executed by an authorized City official, and submitted by MBTMA.
- Preparation of all City Commission Agenda Items and LTCs regarding the shuttle project, utilizing data and input provided by MBTMA;

- Applicable City Departments shall invoice MBTMA for certain City-support services to the Local Shuttle service, which may prove to be unsuited to outsourcing, such as certain internal service costs for sewer and fare collection-related contract with the Parking Department/Loomis Fargo.

EXHIBIT "D"

MBTMA/SHUTTLE CONTRACT MANAGEMENT BUDGET SUMMARY FY 2004/2005

The FY 2004-05 MBTMA/Shuttle Contract Management Budget, at \$169,950, reflects actual projected expenses related to general management for operations and administration of the Local Shuttle Service.

SALARIES: (Includes Social Security and Employment Taxes)

o Executive Director	\$ 47,306
o Associate Director	37,282
o Marketing Coordinator	25,228
o Clerical Support	17,934
o Temporary Hourly	<u>1,590</u>
TOTAL SALARIES:	\$ 129,340

TRAVEL:	\$ 1,500
OFFICE SPACE:	18,960
OFFICE/OPERATING SUPPLIES:	9,000
TELEPHONE:	2,400
POSTAGE:	3,500
ANNUAL AUDIT:	<u>5,250</u>

PROJECT TOTAL: \$ 169,950

RESOLUTION TO BE SUBMITTED

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution authorizing the execution of an Agreement with the Miami Beach Transportation Management Association (MBTMA), in the amount of \$50,000, to provide transportation demand management (TDM) services to Miami Beach; and authorizing a lump-sum payment, utilizing funds available in the FY 2004-05 Parking Fund Budget.

Issue:

Shall the City renew its annual agreement with MBTMA for implementation of TDM initiatives in Miami Beach?

Item Summary/Recommendation:

The City and the Florida Department of Transportation (FDOT) created MBTMA in 1996 to develop and help implement TDM initiatives in Miami Beach, the first of which was the local shuttle service. Since then, the City and FDOT have funded the annual MBTMA operating budget, under separate agreements with MBTMA. The City's annual contribution is fixed at \$50,000, while FDOT's contribution is \$125,000. These funds maintain MBTMA as a public-private, non-profit organization.

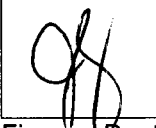
MBTMA'S TDM accomplishments in 2003-04 include the following: provision of annual vanpools services to 45 employees of LNR Properties and MB Fire Department; hosted nine workshop/seminars on ridesharing activities at 7 hotels and 2 businesses; hosted and promoted the "Bike to Work Week" at two hotel sites where bike racks were installed; attended/participated in six local, county, state, and federal workshops/programs regarding transit issues; provided four special park-and-ride services for events in Miami Beach; and secured an additional \$50,000 State grant to engage a marketing firm that created a new branding/identity for the shuttle service.

MBTMA has met its TDM obligations to the City, and requires this funding to help maintain its office location and operations as such. The City's \$50,000 contribution is provided for in the FY 2004-05 Parking Fund Budget. The Administration recommends approval.

Advisory Board Recommendation:

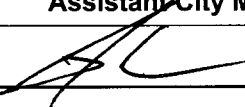
N/A

Financial Information:

Source of Funds:	Amount	Account	Approved
 Finance Dept.	1	\$50,000	480.0461.000312 FY 04/05
	2		Parking Fund budget
	3		
	4		
	Total	\$50,000	

City Clerk's Office Legislative Tracking: Robert Halfhill

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

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AGENDA ITEM

R7M

DATE

9-28-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: September 28, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE PROFESSIONAL SERVICES AGREEMENT WITH THE MIAMI BEACH TRANSPORTATION MANAGEMENT ASSOCIATION (MBTMA), IN THE AMOUNT OF \$50,000, TO PROVIDE TRANSPORTATION DEMAND MANAGEMENT (TDM) SERVICES TO MIAMI BEACH; AND AUTHORIZING A LUMP-SUM PAYMENT, UTILIZING FUNDS AVAILABLE IN THE FY 2004-05 PARKING FUND BUDGET.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

Transportation Management Associations (TMAs) are public-private organizations, the purpose of which is to introduce, create, and implement transportation demand management (TDM) initiatives, such as local circulators, vanpools, carpools, and other programs, and to boost community awareness of such alternatives to the private automobile. These alternative modes of transportation help reduce traffic congestion, increase mobility, reduce demand on limited parking spaces, and enhance the quality of life within urban communities, such as Miami Beach.

The Miami Beach Transportation Management Association (MBTMA) was created in January 1996 and was incorporated in October 1996 as an independent, non-profit 501(c)(4) organization.

A partnership between the City and the Florida Department of Transportation (FDOT) provides the funds needed for the annual operating budget. The FY 2004-05 MBTMA Budget is proposed as follows:

- The City's annual lump-sum contribution is fixed at \$50,000 and provides the seed funding needed by MBTMA to function as a public-private organization.
- FDOT's cash contribution is \$125,000 (received via quarterly reimbursements).
- In addition, MBTMA anticipates receiving \$90,668 in "in-kind" services. FDOT requires that such non-cash amount be included as part of the operating budget.

The total proposed FY 2004-05 MBTMA Operating Budget is \$265,668, being \$175,000 in cash funds and \$90,668 in *"in-kind" services*.

Funding for the City's \$50,000 annual contribution to MBTMA is available in the FY 2004-05 Parking Enterprise Professional Services account. Attached as *Exhibit "A"* to the Professional Services Agreement with MBTMA is the 2005 MBTMA Work Program, which includes the following items:

- Proposed FY 2004-05 Budget Summary, *including in-kind services*
- Proposed FY 2004-05 Operating Budget, *including in-kind services*
- FY 2003-04 Annual Report of Accomplishments
- Summary of Tasks & Goals to be completed in FY 2004-05.

MBTMA's effectiveness and commitment to a Work Program has been confirmed by FDOT and City, who closely examine its work product, as well as the monthly reports and annual audits which MBTMA is required to submit, as a non-profit organization.

MBTMA completed the following TDM activities in FY 2003-04:

- Provided four (4) special park-and-ride services for events in Miami Beach.
- Provided annual vanpool services for 45 employees of LNR Properties and Miami Beach Fire Department.
- Hosted nine (9) workshops/seminars on ridesharing activities at 7 hotels, Chamber of Commerce and Mount Sinai Hospital.
- Hosted and promoted the "Bike to Work Week" at two hotel sites where bike racks were installed.
- Attended/participated in six (6) local, county, state and federal training and workshop programs regarding transit.
- Secured an additional \$50,000 State grant and engaged a marketing firm that created a new branding/identity for the shuttle service.

FDOT's annual contribution to MBTMA is contingent upon the City's annual \$50,000 contribution. Combined, these funds allow MBTMA to continue operations as a public-private entity in Miami Beach, pay a portion of the employee salaries, lease office space, purchase/maintain office equipment and supplies, and perform the TDM services for which it has been hired. The Administration recommends that the City execute another annual Professional Services Agreement with MBTMA, in the amount of \$50,000, utilizing funds available in the FY 2004-05 Parking Fund Budget.

JG/RM/FB/RH/AJ

Attachments: Professional Services Agreement (with its *Exhibit "A"*)

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH THE MIAMI BEACH TRANSPORTATION MANAGEMENT ASSOCIATION (MBTMA), IN THE AMOUNT OF \$50,000, TO PROVIDE TRANSPORTATION DEMAND MANAGEMENT (TDM) SERVICES TO MIAMI BEACH; AND AUTHORIZING A LUMP-SUM PAYMENT, AS SEED FUNDING, UTILIZING FUNDS AVAILABLE IN THE FISCAL YEAR (FY) 2004-05 PARKING FUND BUDGET.

WHEREAS, the Miami Beach Transportation Management Association (MBTMA) is a public-private, non-profit 501(c)(4) organization that was specifically established to develop, coordinate, and implement Transportation Demand Management (TDM) services to Miami Beach; and

WHEREAS, since MBTMA's inception in 1996, the City and the Florida Department of Transportation (FDOT), under separate agreements with MBTMA, have provided the funds needed for the annual MBTMA operating budget; and

WHEREAS, in consideration for the TDM services to be provided by MBTMA, pursuant to the attached Fiscal Year 2004-05 Professional Services Agreement, the City wishes to provide for its annual lump-sum contribution, in the amount of \$50,000; and

WHEREAS, in consideration for the TDM services to be provided by MBTMA, the FDOT contribution, in the amount of \$125,000, is made available after the fact, via the reimbursement method.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby authorize the Mayor and City Clerk to execute a Professional Services Agreement with the Miami Beach Transportation Management Association (MBTMA), in the amount of \$50,000, to provide Transportation Demand Management (TDM) services to Miami Beach; and authorize a lump-sum payment, as seed funding, utilizing funds available in the FY 2004-05 Parking Fund Budget.

PASSED AND ADOPTED this the _____ day of _____, 2004.

ATTEST:

MAYOR

CITY CLERK

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**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney **9/23/04**
Date

PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF MIAMI BEACH
AND THE
MIAMI BEACH TRANSPORTATION MANAGEMENT ASSOCIATION (MBTMA)
FOR THE PROVISION OF
TRANSPORTATION DEMAND MANAGEMENT SERVICES DURING FY 2004-05

THIS AGREEMENT made and entered into this 28th day of September, 2004, by and between the **CITY OF MIAMI BEACH, FLORIDA** (hereinafter referred to as City), having its principal offices at 1700 Convention Center Drive, Miami Beach, Florida, 33139 and the **MIAMI BEACH TRANSPORTATION MANAGEMENT ASSOCIATION-MBTMA** (hereinafter referred to as Consultant), a non-profit, public-private 501(c)(4) organization, which address is 777 41st Street, Suite 330, Miami Beach, Florida 33140.

SECTION 1
DEFINITIONS

Agreement:	This written Professional Services Agreement between the City and Consultant.
City Manager:	The Chief Administrative Officer of the City.
Consultant:	For the purposes of this Agreement, Consultant shall be deemed to be an independent contractor, and not an agent or employee of the City.
Services:	All services, work and actions by the Consultant performed pursuant to or undertaken under this Agreement, as described in Section 2.
Project Coordinator:	An individual designated by the City to coordinate, direct and review on behalf of the City all technical matters involved in the Services.
Fixed Fee:	Fixed amount paid to the Consultant to cover the costs of the Services.
Risk Manager:	The Risk Manager of the City, with offices at 1700 Convention Center Drive, Third Floor, Miami Beach, Florida 33139, telephone number (305) 673-7000, Ext. 6435, and fax number (305) 673-7023.

SECTION 2

SCOPE OF WORK

The scope of work to be performed by Consultant is set forth in Exhibit "A," entitled "Scope of Services" (Services).

SECTION 3

COMPENSATION

3.1 FIXED FEE

Consultant shall be compensated for the Services to be provided herein in an amount not to exceed Fifty Thousand and 00/100 Dollars (\$50,000), for the Services set forth in Exhibit "A" hereto. All funds issued by the City to Consultant shall be placed by Consultant in an account designated solely and exclusively for the operation and administration of transportation demand management (TDM) services, other than the Electrowave Shuttle Project.

3.2 METHOD OF PAYMENT

One lump-sum payment shall be made to the Consultant after execution of this Agreement, which effective date is October 1, 2004. Consultant shall be required to submit monthly reports and other submissions which detail the Consultant's work performed each month, as set forth in Exhibit "A".

SECTION 4

GENERAL PROVISIONS

4.1 RESPONSIBILITY OF THE CONSULTANT

Consultant shall exercise that degree of skill, care, efficiency and diligence normally exercised by recognized professionals with respect to the performance of comparable Services. In its performance of the Services, Consultant shall comply with all applicable laws and ordinances, including but not limited to, applicable regulations of the City, County, State, Federal Government, ADA, EEO Regulations and Guidelines.

4.2 PUBLIC ENTITY CRIMES

State of Florida Form PUR 7068, Sworn Statement under Section 287.133(3)(a) Florida Statute on Public Entity Crimes shall be filed with the City's Procurement Division.

4.4 PROJECT MANAGEMENT

The Consultant shall appoint a qualified individual acceptable to the City to serve as Project Manager for the Services, who shall be fully responsible for the day-to-day activities under this Agreement and who shall serve as the primary contact for the City's Project Coordinator.

4.5 DURATION AND EXTENT OF AGREEMENT

The term of this Agreement shall be for a period of twelve (12) months, commencing on October 1, 2003, and ending September 30, 2004. Funding for any additional term(s) shall be approved by the City and be contingent upon a favorable evaluation of the MBTMA by the City and the Florida Department of Transportation (FDOT). Notwithstanding the aforesaid language, however, the City shall have no future obligation to renew this Agreement beyond the twelve-month term set forth herein.

4.6 TIME OF COMPLETION

The Services to be rendered by the Consultant will commence on October 1, 2004, and will continue the services that the Consultant has been developing and implementing for the City, since the execution of the first Agreement with the City, which was effective January 1, 1996. Consultant shall adhere to a completion schedule, if so determined by the City and Consultant.

4.7 OWNERSHIP OF DOCUMENTS AND EQUIPMENT

All documents prepared by the Consultant pursuant to this Agreement are related exclusively to the Services described herein, and are intended or represented for ownership by the City. Any reuse by Consultant or the parties shall be approved in writing by the City.

4.8 INDEMNIFICATION

Consultant agrees to indemnify and hold harmless the City of Miami Beach and its officers, employees and agents, from and against any and all actions, claims, liabilities, losses, and expenses, including, but not limited to, attorneys' fees, for personal, economic or bodily

injury, wrongful death, loss of or damage to property, at law or in equity, which may arise or be alleged to have arisen from the negligent acts, errors, omissions or other wrongful conduct of the Consultant, its employees, agents, sub-consultants, or any other person or entity acting under Consultant's control, in connection with the Consultant's performance of the Services pursuant to this Agreement; and to that extent, the Consultant shall pay all such claims and losses and shall pay all such costs and judgements which may issue from any lawsuit arising from such claims and losses, and shall pay all costs and attorneys' fees expended by the City in the defense of such claims and losses, including appeals. The parties agree that one percent (1%) of the total compensation to the Consultant for performance of the Services under this Agreement is the specific consideration from the City to the Consultant for the Consultant's Indemnity Agreement.

The Consultant's obligation under this Subsection shall not include the obligation to indemnify the City of Miami Beach and its officers, employees and agents, from and against any actions or claims proximately resulting from negligent acts or omissions or other wrongful conduct of the City and its officers, employees and agents. The parties each agree to give the other party prompt written notice of any claim coming to its knowledge that in any way directly or indirectly affects the other party.

4.9 INSURANCE REQUIREMENTS

The Consultant shall not commence any work pursuant to this Agreement until all insurance required under this Subsection has been obtained and such insurance has been approved by the City's Risk Manager. The Consultant shall maintain and carry in full force during the term of this Agreement and throughout the duration of the work the following insurance:

1. Professional General Liability in the amount of \$1,000,000.00.
2. Workers Compensation & Employers Liability, as required pursuant to Florida statute.

All policies are subject to the following provisions:

All insurance must be furnished by insurance companies authorized to do business in the State of Florida and approved by the City's Risk Manager. The City must be named as an additional insured. Original certificates of insurance for the above mentioned coverages, or any other form of insurance as may be required by the City or the City designee, must be submitted to the City's Risk Manager for approval prior to any work commencing. These

certificates will be kept on file in the office of the Risk Manager, 3rd Floor, City Hall. The Consultant is responsible for obtaining and submitting all insurance certificates for their consultants. Thirty (30) days written notice of cancellation or substantial modification in the insurance coverage must be given to the City's Risk Manager by the Consultant and its insurance company.

All insurance policies must be issued by companies authorized to do business under the laws of the State of Florida. The companies must be rated no less than "B+" as to management and not less than "Class VI" as to strength by the latest edition of Best's Insurance Guide, published by A.M. Best Company, Oldwick, New Jersey, or its equivalent, subject to the approval of the City's Risk Manager.

Compliance with the foregoing requirements shall not relieve the Consultant of the liabilities and obligations under this Subsection or under any other portion of this Agreement, and the City shall have the right to obtain from the Consultant specimen copies of the insurance policies in the event that submitted certificates of insurance are inadequate to ascertain compliance with required coverage.

4.9.1 ENDORSEMENTS

All of Consultant's certificates, above, shall contain endorsements providing that written notice shall be given to the City at least thirty (30) days prior to termination, cancellation or reduction in coverage in the policy.

4.9.2 CERTIFICATES

Unless directed by the City otherwise, the Consultant shall not commence the Services until the City has received and approved, in writing, certificates of insurance showing that the requirements of this Subsection (in its entirety) have been met and provided for.

4.10 TERMINATION, SUSPENSION AND SANCTIONS

4.10.1 Termination for Cause

If the Consultant shall fail to fulfill in a timely manner, or otherwise violate any of the covenants, agreements, or stipulations material to this Agreement, the City shall thereupon have the right to terminate the Services then remaining to be performed. Prior to exercising its option to terminate for cause, the City shall notify the Consultant of its violation of the particular terms of this Agreement and shall grant Consultant ten (10) days to cure such

default. If such default remains uncured after (10) days, the City, upon seven (7) days notice to Consultant, may terminate this Agreement and the City shall be fully discharged from any and all liabilities, duties and terms arising out of/or by virtue of this Agreement.

In that event, all finished and unfinished documents, data, studies, surveys, drawings, maps, models, photographs, reports and other work products prepared by the Consultant and its subcontractors shall be properly assembled and delivered to the City at the Consultant's sole cost and expense. Consultant shall be paid for any Services satisfactorily performed up to the date of termination.

Notwithstanding the above, the Consultant shall not be relieved of liability to the City for damages sustained by the City by any breach of the Agreement by the Consultant. The City, at its sole option and discretion, shall additionally be entitled to bring any and all legal/equitable actions that it deems to be in its best interest in order to enforce the City's right and remedies against the defaulting party. The City shall be entitled to recover all costs of such actions, including reasonable attorney's fees. **To the extent allowed by law, the defaulting party waives its right to jury trial and its right to bring permissive counter claims against the City in any such action.**

4.10.2 Termination for Convenience of City

THE CITY MAY, FOR ITS CONVENIENCE AND WITHOUT CAUSE, TERMINATE THE SERVICES THEN REMAINING TO BE PERFORMED AT ANY TIME DURING THE TERM HEREOF BY GIVING WRITTEN NOTICE TO CONSULTANT OF SUCH TERMINATION, WHICH SHALL BECOME EFFECTIVE SEVEN (7) DAYS FOLLOWING RECEIPT BY THE CONSULTANT OF THE WRITTEN TERMINATION NOTICE. IN THAT EVENT, ALL FINISHED OR UNFINISHED DOCUMENTS AND OTHER MATERIALS, AS DESCRIBED IN SECTION 2 AND IN EXHIBIT "A" SHALL BE PROPERLY ASSEMBLED AND DELIVERED TO THE CITY AT CONSULTANT'S SOLE COST AND EXPENSE. IF THE AGREEMENT IS TERMINATED BY THE CITY, AS PROVIDED IN THIS SUBSECTION, CONSULTANT SHALL RETURN TO THE CITY A PROPORTION OF THE \$50,000 IN FUNDS THAT WILL BE FRONTED BY THE CITY TO THE CONSULTANT, AS A LUMP-SUM AMOUNT.

4.10.3 Termination for Insolvency

The City also reserves the right to terminate the remaining Services to be performed in the event the Consultant is placed either in voluntary or involuntary bankruptcy or makes an assignment for the benefit of creditors. In such event, the right and obligations for the parties shall be the same as provided for in Section 4.10.2.

4.10.4 Sanctions for Noncompliance with Nondiscrimination Provisions

In the event of the Consultant's noncompliance with the nondiscrimination provisions of this Agreement, the City shall impose such sanctions as the City or the State of Florida may determine to be appropriate, including but not limited to, withholding of payments to the Consultant under the Agreement until the Consultant complies and/or cancellation, termination or suspension of the Services. In the event the City cancels or terminates the Services pursuant to this Subsection the rights and obligations of the parties shall be the same as provided in Section 4.10.2.

4.10.5 Changes and Additions

This Agreement shall only be modified, changed or amended by an instrument of equal dignity, executed by the officers and agents duly authorized by each respective party.

4.11 AUDIT AND INSPECTIONS

At any time during normal business hours and as often as the City may deem necessary, there shall be made available to the City and/or such representatives as the City may deem to act on its behalf, to audit, examine and make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment and other data relating to all matters covered by this Agreement. Consultant shall maintain any and all records necessary to document compliance with the provisions of this Agreement.

4.12 ACCESS TO RECORDS

Consultant agrees to allow access during normal business hours to all financial records to the City and/or such authorized representatives as it may deem to act on its behalf, and agrees to provide such assistance as may be necessary to facilitate financial audit by the City or its representatives when deemed necessary to insure compliance with applicable accounting and financial standards. Consultant shall allow access during normal business hours to all other records, forms, files, and documents which have been generated in performance of this Agreement, to those personnel as may be designated by the City.

4.13 ASSIGNMENT, TRANSFER OR SUBCONTRACTING

The Consultant shall not subcontract, assign, or transfer any work under this Agreement without the prior written consent of the City.

4.14 SUB-CONSULTANTS

The Consultant shall be liable for the Consultant's services, responsibilities and liabilities under this Agreement and the services, responsibilities and liabilities of sub-consultants, and any other person or entity acting under the direction or controls of the Consultant. When the term "Consultant" is used in this Agreement, it shall be deemed to include any sub-consultants and any other person or entity acting under the direction or control of Consultant. All sub-consultants must be approved in writing prior to their engagement by Consultant.

4.15 EQUAL EMPLOYMENT OPPORTUNITY

In connection with the performance of this Agreement, the Consultant shall not discriminate against any employee or applicant for employment because of race, color, religion, ancestry, sex, age, national origin, place of birth, marital status, or physical handicap. The Consultant shall take affirmative action to ensure that applicants are employed and that employees are treated during their employment without regard to their race, color, religion, ancestry, sex, age, national origin, place of birth, marital status, disability, or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or termination; recruitment or recruitment advertising; layoff or termination; rates of pay, or other forms of compensation; and selection for training, including apprenticeship.

4.16 CONFLICT OF INTEREST

The Consultant agrees to adhere to and be governed by the Metropolitan Miami-Dade County Conflict of Interest Ordinance (No. 72-82), as amended; and by the City of Miami Beach Charter and Code, which are incorporated by reference herein as if fully set forth herein, in connection with the Agreement conditions hereunder.

The Consultant covenants that it presently has no interest and shall not acquire any interest, direct or indirectly which should conflict in any manner or degree with the performance of the Services. The Consultant further covenants that in the performance of this Agreement, no person having any such interest has been employed by the Consultant. No member of or delegate to the Congress of the United States shall be admitted to any share or part of this Agreement or to any benefits arising therefrom.

4.17 PATENT RIGHTS; COPYRIGHTS; CONFIDENTIAL FINDINGS

Any patentable result arising out of this Agreement, as well as all information, design specifications, processes, data and findings, shall be made available to the City for public use.

No reports, other documents, articles or devices produced in whole or in part under this Agreement shall be the subject of any application for copyright or patent by or on behalf of the Consultant or its employees or subcontractors.

2.18 NOTICES

All communications relating to the day-to-day activities shall be exchanged between the Project Manager/Maintenance Manager appointed by Consultant and the Project Manager designated by the City. The Consultant's Project Manager and the City's Project Coordinator shall be designated promptly upon commencement of the Services.

All other notices and communications in writing required or permitted hereunder may be delivered personally to the representatives of the Consultant and the City listed below or may be mailed by registered mail, postage prepaid (or airmailed if addressed to an address outside of the city of dispatch).

Until changed by notice in writing, all such notices and communications shall be addressed as follows:

TO CONSULTANT: Miami Beach Transportation Management Association (MBTMA)
Judy I. Evans, Executive Director
777 41st Street, Suite 330
Miami Beach, Florida 33140
(305) 535-9160
(305) 535-9157 – fax
mbtma@earthlink.net

TO CITY: City of Miami Beach
Fred H. Beckmann, Director
Director of Public Works
1700 Convention Center Drive, 4th Floor
Miami Beach, FL 33139
(305) 673-7000, Ext. 6922
FredBeckmann@miamibeachfl.gov

WITH COPIES TO: Office of the City Attorney
Attn: Murray H. Dubbin
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

Notices hereunder shall be effective:

If delivered personally, on delivery; if mailed to an address in the city of dispatch, on the day following the date mailed; and if mailed to an address outside the city of dispatch on the seventh day following the date mailed.

4.19 LITIGATION JURISDICTION/VENUE

This Agreement shall be enforceable in Miami-Dade County, Florida, and if legal action is necessary by either party with respect to the enforcement of any or all of the terms or conditions herein, exclusive venue for the enforcement of same shall lie in Miami-Dade County, Florida.

4.20 ENTIRETY OF AGREEMENT

This writing and the Services embody the entire Agreement and understanding between the parties hereto, and there are no other agreements and understandings, oral or written with reference to the subject matter hereof that are not merged herein and superseded hereby. The Services and the Proposal Documents are hereby incorporated by reference into this Agreement.

No alteration, change, or modification of the terms of this Agreement shall be valid unless amended in writing, signed by both parties hereto, and approved by the City Commission of the City of Miami Beach.

This Agreement shall be governed by and construed according to the laws of the State of Florida.

4.21 LIMITATION OF CITY'S LIABILITY

The City desires to enter into this Agreement only if in so doing the City can place a limit on the City's liability for any cause of action for money damages due to an alleged breach by the City of this Agreement, so that its liability for any such breach never exceeds the sum of \$10,000. Consultant hereby expresses its willingness to enter into this Agreement with Consultant's recovery from the City for any damage action for breach of contract to be limited to a maximum amount of \$10,000.

Accordingly, and notwithstanding any other term or condition of this Agreement, Consultant hereby agrees that the City shall not be liable to the Consultant for damages in an amount in excess of \$10,000 for any action or claim for breach of contract arising out of the performance or non-performance of any obligations imposed upon the City by this Agreement. Nothing contained in this paragraph or elsewhere in this Agreement is in any way intended to be a waiver of the limitation placed upon the City's liability as set forth in Section 768.28, Florida Statutes.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their appropriate officials, as of the date first entered above.

FOR CITY:

CITY OF MIAMI BEACH, FLORIDA

ATTEST:

By:

City Clerk

Mayor

FOR CONSULTANT:

FOR MBTMA:

ATTEST:

By:

Executive Director

President, MBTMA Board of Directors

Corporate Seal

EXHIBIT “A”

2005 MIAMI BEACH TMA WORK PROGRAM

It includes the following items:

1. Proposed FY 2004-05 MBTMA Budget Summary (including in-kind services)
2. Proposed FY 2004-05 MBTMA Operating Budget (including in-kind services)
3. FY 2003-04 MBTMA Annual Report of Accomplishments
4. Proposed 2004-05 MBTMA Summary of Tasks & Goals

Submitted by:

The Miami Beach Transportation Management Association, Inc.
Judy I. Evans, Executive Director
Rebecca Schwartz, Associate Director

September 10, 2004

**MIAMI BEACH
TRANSPORTATION MANAGEMENT ASSOCIATION, INC.
BUDGET SUMMARY**

(October 1, 2004 - September 30, 2005)
(12 Months)

EXPENDITURES:

PAYROLL	\$	148,099
OPERATING		<u>117,569</u>
EXPENDITURE TOTAL:	\$	265,668

INCOME & SOURCES:

CITY OF MIAMI BEACH	\$	50,000
IN-KIND SERVICES		90,668
FDOT		<u>125,000</u>
FUNDING TOTAL:	\$	265,668

* Does not include funding related to independent contract between City of Miami Beach and MBTMA for management/administration of the ELECTROWAVE shuttle project by the MBTMA.

** Includes in-kind donations for board members and value of professional support time, marketing and advertising/publicity of TMA, use of Convention Center conference room for meetings and workshops, volunteer staff time, legal and technical support services (documented), equipment and furniture.

NOTE: IT IS IMPORTANT TO UNDERSTAND THAT IN-KIND/DONATED SERVICES AND EQUIPMENT ARE CONSIDERED BY FDOT AS ACTUAL DOLLARS (DONATED SERVICES RECEIVED BY THE TMA THAT HAVE A DOLLAR VALUE BUT THE TMA IS NOT CHARGED FOR) THESE IN-KIND SERVICES GENERATE FUNDS FROM FDOT THAT WOULD OTHERWISE NOT BE AVAILABLE FOR THE PROJECT.

MIAMI BEACH TRANSPORTATION MANAGEMENT ASSN., INC. OPERATING BUDGET

(October 1, 2004 - September 30, 2005)
(12 months)

EXPENDITURES:

SALARIES:

Executive Director (20 hrs. Wkly.)	\$ 40,553
Associate Director (20 hrs. Wkly.)	31,954
Marketing Coordinator (20 hrs. Wkly.)	21,621
Clerical Support (20 hrs. Wkly.)	15,363
FRINGE BENEFITS:	<u>38,608</u>
TOTAL PAYROLL:	\$ 148,099

OPERATING:

Professional Development	\$ 500*
Travel (Local/Out of Area)	1,500**
Office Supplies	2,000
Postage	1,000
Rent (Office Space)	12,000
Equipment Maintenance (Copier, fax, typewriter, printers)	500
Telephone	2,400
Officer/Director Liability Insurance	2,500
Bi-Monthly Accounting Services	1,751
Annual Audit	1,750
Printing (special mail inserts, fliers)	<u>1,000***</u>
Sub-Total:	\$ 26,901

IN-KIND SERVICES****

Annual City Wide Parking Permits	\$ 1,648
Marketing/Advertising of TMA	14,475
Board Meeting/Workshop Room Use	1,867
Legal/Technical Support	30,000
Professional Support	<u>42,678</u>
Sub-Total:	\$ 90,668

OPERATING TOTAL: \$ 117,569

BUDGET TOTAL: \$ 265,668

- * Workshop Registration Fees (Assn. Commuter Transportation - National Conf., Southeastern Assn. Commuter Transportation - Regional Conf., National TMA Summit - based on staff schedule and available funds)
- ** Airfare, hotel accommodations, ground transportation to attend above workshops
- *** Special announcements of workshops and handouts, mailing Inserts for City Utility Bills, materials/information packets for annual Chamber of Commerce Business expo and workshops
- **** Donated Services (Documented)

MIAMI BEACH TRANSPORTATION MANAGEMENT ASSN., INC.

ANNUAL REPORT 2003/04

The following is a summary of accomplishments for Fiscal Year 2003/04:

Special Park & Ride Services

Special P & R services provided for:

Art Basel (12/03) (280 passengers)
Boat Show (2/04) (3,401 passengers with special passes)
Memorial Day Weekend (5/04) (8,843 passengers)
July 4th Concert (7/04) (2,392 passengers)

Development of two (2) year park & ride service for maintenance employees & shuttle employees beginning July 2004 from Watson Island to/from Terminal Island (Hours: 7:30 a.m. - 10:00 a.m. & 3:00 p.m. - 6:00 p.m.) during construction of CMB pump station and FDOT construction in the employee parking area on Terminal Island. Arrangements were made for van lease, insurance, driver and dispatching through First Transit, Inc.. Parking arrangements for Watson Island was coordinated through the CMB Parking Department and Miami Dade County.

Vanpool Services

Employer	LNR Properties	3 vans (7 pass.ea.)	21 employees
Employer	MB Fire Dept.	2 vans (9 & 15 pass.ea.)	24 employees

Vanpool leasing is coordinated through Vanpool Services, Inc..

Employer Ridesharing Activities

The MBTMA coordinated a record number of area employer-rideshare events this year in cooperation with South Florida Commuter Services (SFCS). MBTMA staff setup and worked at ridesharing exhibits, workshops and employee transportation days at major, local work sites. Working with the employer, SFCS is able to create a Zip Code analysis for each work shift showing employees' home locations and identifying clusters of

possible carpoolers/vanpoolers.

In addition, to identifying potential carpools and vanpools the MBTMA also promotes transit as an alternative to the private vehicle by providing transit schedules for employees. Along with this service employers received assistance in developing a program that would allow employees who use transit for their commute to/from work to take advantage of a pre-tax purchase of transit passes.

Employees who became registered users of these ridesharing services were also eligible for the "Emergency Ride Home Program" through SFCS.

The employee is required to ride transit, carpool, vanpool, bike or walk to work at least three or more days a week. Eligible program participants can use special trip vouchers to cover the cost (not including tip to the driver) of a taxi trip home. The program includes up to six free taxi ride vouchers per year for each individual.

Participating Employers:

Fountainbleau Hilton - Pre-tax program (Sessions held: Oct, Jan, Apr, May, June and July)

Eden Roc Hotel - Attended Associate Appreciation Day. Working with union representative toward development of vanpools for hourly employees.

Holiday Inn South Beach - over 50% of employees entered into ridesharing data base

Chamber of Commerce members - Employee Transportation Workshop
(Nov.)

Ritz Carlton - 54 employees entered into ridesharing data base

Marriott Courtyard - Transportation Day held - work ongoing

Royal Palm Crowne Plaza - Transportation Day (June)

South Beach Marriott - Transportation Day held - work ongoing

Mount Sinai/Miami Heart Hospital - Employee Tax Benefit Program being developed through Human Resources

"Bike to Work" Week

Activities were held in May beginning with a press conference at City Hall. Loews Hotel and Royal Palm Crowne Plaza Hotel actively encouraged all their employees to "Bike to Work" during the promotion. In addition, they installed bike racks at the work sites.

✓ **Training/Workshops/Presentations Attended**

Alliance for Reliable Transportation - Gave formal presentation on role of the MBTMA and the shuttle project

Citizens Independent Transportation Trust/Municipal Transportation Workshop

Gave formal presentation regarding ELECTROWAVE shuttle project and also served as panelist

Attended Federal Grants Management Training - Atlanta, GA

Attended 2003 Florida Commuter Choice Summit - Ft. Lauderdale, FL

Attended "Introduction to Transit Operation & Planning "5 Day Workshop" - Florida Department of Transportation

✓ **Other Related Management Projects**

Worked with Miami Beach Chamber of Commerce in developing proposal for "City Tour Project" for visitors

Serve as voting member of City of Miami Beach Transportation & Parking Committee

Development of Park & Ride Program with City of Miami Beach Parking Department and Director of Tourism

Prepared FY 2004/05 annual budgets for MBTMA and ELECTROWAVE shuttle project

Conducted several tours of the ELECTROWAVE shuttle project (South Florida Commuter Services, Florida DOT, Federal Transit Administration, Center for Urban Transportation Research - University of South Florida)

Prepared RFQ/RFP for marketing/public relations firms for re-branding of

shuttle and coordinated selection committee process, passenger interviews and community organization questionnaire. Secured an additional \$50,000 through FDOT/South Florida Commuter Services for shuttle re-branding consulting expenses

Respectfully Submitted:

Judy I. Evans
Executive Director
JIE:lh
Doc/tmarpt04

2005 MIAMI BEACH TMA WORK PROGRAM

SUMMARY OF TASKS & GOALS

	TASK	GOAL	GOAL TIME LINE	GOAL COMPLETED
1	A2	Create Work Plan 2005/06	September 2005	
2	B1	Create & distribute TMA Newsletter	Annually (12/05)	
3	B1	Host workshops/seminars on transportation issues relevant to local business/residents	Two (2) (Winter & Spring 2005)	
4	B2	Develop community based programs &/or events linked to ridesharing and other alternative modes of transportation	Two (2)	
5	B2	Coordinate & host "Transportation Days" at employment sites	Ten (10) (One every 5-6 weeks)	
6	D2	Promote special discount fare with Miami-Dade Transit	Continuously	
7	E1	Distribute revised shuttle system maps; Market revitalized system; Develop new "look" and name for system	Fall 2004 / Winter 2005	
8	E2	Print & post revised shuttle system maps as signage along route	Fall 2004 / Winter 2005	
9				
10				

**R9
NEW BUSINESS AND
COMMISSION REQUEST**

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION

MEMORANDUM

TO: MAYOR DAVID DERMER

FROM: JOSE SMITH
COMMISSIONER

DATE: September 13, 2004

RE: MEETING OF THE WHOLE

In an effort to improve civility and decorum, I urge you to schedule a meeting of the whole prior to our next Commission meeting.

A brief discussion of "Robert's Rules of Order" and other appropriate measures may help improve the Commission's deliberations.

Thank you.

Cc: Members of the City Commission
Jorge Gonzalez, City Manager
Murray Dubbin, City Attorney

JS/els

Agenda Item R9A
Date 9-28-04

CITY OF MIAMI BEACH

**NOTICE OF A COMMITTEE OF
THE WHOLE MEETING**



NOTICE IS HEREBY given that the City Commission of the City of Miami Beach, Florida, sitting as the Committee of the Whole, will hold a meeting in the Mayor's Conference Room, 4th Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Tuesday, September 28, 2004, at 4:00 p.m.**, for the purpose of considering measures to help improve the City Commission's deliberations.

Inquiries may be directed to the Mayor's Office at (305) 673-7030.

Robert E. Parcher, City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

(Ad #0282)